United Nations A/HRC/36/16

General Assembly

Distr.: General
18 July 2017

Original: English

Human Rights Council
Thirty-sixth session
11-29 September 2017
Agenda item 6
Universal periodic review

Report of the Working Group on the Universal Periodic Review*

South Africa

* The annex is being issued without formal editing, in the language of submission only.

GE.17-12125(E)

Please recycle

Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-seventh session from 1 to 12 May 2017. The review of South Africa was held at the 16th meeting, on 10 May 2017. The delegation of South Africa was headed by the Deputy Minister for Justice and Constitutional Development, John Jeffery. At its 18th meeting, held on 12 May 2017, the Working Group adopted the report on South Africa.

2. On 13 February 2017, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of South Africa: Burundi, Germany and Iraq.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of South Africa:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/27/ZAF/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/27/ZAF/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/27/ZAF/3).

4. A list of questions prepared in advance by Belgium, Czechia, Germany, Mexico, the Netherlands, Norway, Slovenia, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to South Africa through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The Deputy Minister for Justice and Constitutional Development introduced the report of South Africa to the Working Group, highlighting the implementation of recommendations and the development of human rights during the period under review.

6. In its final report on the Millennium Development Goals, South Africa stressed that the country had made considerable progress, in particular in the area of socioeconomic rights. Nonetheless, many challenges persisted, including poverty among vulnerable groups. Moreover, as global economic growth had remained weak, much had to be accomplished within budgetary constraints. The national development plan, which was also known as "Vision 2030" and would guide the country's development and budgeting for the next 15 years, factored in the 17 Sustainable Development Goals. The national development plan reflected the commitment of South Africa to improving the lives of the poor and the marginalized.

7. Regarding recommendations received during the previous cycle of the universal periodic review, South Africa had ratified the International Covenant on Economic, Social and Cultural Rights in 2015 and submitted its initial report under the Covenant in 2017.

8. Additionally, in 2013, the Prevention and Combating of Torture of Persons Act had been enacted, giving effect to the obligations of South Africa under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. With regard to the Optional Protocol to the Convention against Torture, before ratification could be considered, an agreement on the structure and the location of the national preventive mechanism had to be reached. Discussions with the South African Human Rights Commission regarding that issue, including on funding, were currently under way.

9. Also in 2013, South Africa had passed the Prevention and Combating of Trafficking in Persons Act. The Act addressed trafficking in a comprehensive manner, when previously the issue had been dealt with in a fragmented manner.

10. With regard to the recommendations to criminalize hate speech and related hate crimes, in October 2016 the Cabinet had approved the publication of the Prevention and Combating of Hate Crimes and Hate Speech Bill for public comment. The Bill would establish the offences of hate crimes and hate speech. According to the Bill, a hate crime would have occurred when someone commits any recognized offence when motivated by unlawful bias, prejudice or intolerance based on race, gender, sex, ethnic or social origin, colour, sexual orientation or gender identity, religion, belief, culture, language, birth, HIV status, nationality, albinism, occupation or trade. In addition, the crime of hate speech had been included in the Bill more recently, in response to the increase in racist incidents that had taken place over the past few years.

11. The Bill had been the object of an intense participatory process and debate. Comments received indicated that there was extensive support for the inclusion of hate crimes in the law. However, concerns were raised that a definition of hate speech could restrict the right to free speech or the right to freely practice religion. The delegation of South Africa recalled, however, that the right to free speech must be balanced and was not unlimited. The Bill would shortly be returned to the Cabinet for discussion and be tabled in Parliament.

12. With regard to the right to privacy in the digital age, including communication surveillance, oversight, data protection and proposed legislation, oversight mechanisms to ensure that a person's right to privacy was not unlawfully infringed already existed. In particular, the Information Regulator had been created by the new Protection of Personal Information Act.

13. New legislation to enhance cybersecurity needed to be developed, as extensive technological advances had led to a greater risk of cybercrime. There were a number of misconceptions regarding the new Cybercrime and Cybersecurity Bill. For example, additional structures to be established by the Bill would not give powers to the State Security Agency to control the Internet, nor any powers to censor or suppress what could be accessed, published or viewed on the Internet, nor to monitor communications without judicial sanction. Additionally, it was recalled that South Africa was a constitutional democracy; all legislative provisions were measured against the Constitution and, if found wanting, would be ruled unconstitutional. Details on existing civilian oversight of the security services by the Office of the Inspector-General of Intelligence were provided.

14. In reply to advance questions on the Life Esidimeni incident, the delegation stated that the Ministry of Health had requested the Health Ombudsman to investigate the tragic deaths of 96 mental health patients after they had been transferred into the care of non-governmental organizations. The Ombudsman's recommendations were being rigorously implemented to prevent similar incidents from recurring.

15. With regard to the issue of immigration, the delegation stated that the resurfacing of attacks on some categories of foreign nationals was in conflict with the country's philosophy of humanity and the Constitution. The attacks had required interventions at the policy level, through community engagement and crime prevention. The Special Reference Group on Migration and Community Integration in Kwa-Zulu Natal, headed by the former United Nations High Commissioner for Human Rights, Navi Pillay, had been set up. A key finding of the Group had been that attacks on foreign nationals were a direct result of increasing competition for scarce resources. It was therefore important to enhance cooperation on the continent in order to ensure regular and orderly migration.

16. The Government had developed a draft national action plan to combat racism, racial discrimination, xenophobia and related intolerance in collaboration with various stakeholders, to provide a basis for the development of a comprehensive public policy against those scourges. The consultation process on the draft action plan had been completed in October 2016 and it was the Government's aim to finalize the action plan by September 2017.

17. The delegation provided information on legislative reforms undertaken to address gender and sexual violence and reported that a national task team had been established to counter discrimination based on sexual orientation and gender identity against members of the lesbian, gay, bisexual, transgender and intersex community.

18. With regard to health care, South Africa had adopted a multisectoral approach to fighting HIV/AIDS that included voluntary counselling and testing, prevention of mother-to-child transmission, antiretroviral therapy, condom distribution and awareness-raising. The number of persons living with HIV/AIDS had stabilized and the rate of HIV infection had declined each year. The number of AIDS-related deaths had declined consistently since 2006 and could be attributed to the increased availability of antiretroviral therapy.

B. Interactive dialogue and responses by the State under review

19. During the interactive dialogue, 102 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

20. Bangladesh commended South Africa for combating discrimination and for the adoption of legislation in line with United Nations conventions.

21. Belgium, while welcoming the steps taken to implement recommendations from the previous cycle of the universal periodic review, noted the existence of a number of concerns.

22. The Plurinational State of Bolivia welcomed the progress made in terms of access to water and food, and the support given by South Africa to the development of a declaration on the rights of peasants.

23. Botswana welcomed the progressive Constitution of South Africa and efforts made to overhaul the education system with a view to increasing access.

24. Brazil was concerned at the deaths of persons with psychosocial disabilities in institutions and encouraged South Africa to take steps to ensure full protection of their rights.

25. Burkina Faso invited South Africa to redouble efforts at the national level to fight racism and xenophobia against migrants, asylum seekers and refugees and to consider strengthening its legal framework on the issue.

26. Burundi welcomed the policies of South Africa to guarantee the right to education for all and the adoption of legislation to prevent and combat torture.

27. Cabo Verde noted measures implemented by South Africa to combat torture, trafficking in persons and racial discrimination.

28. Canada urged South Africa to ensure that all law enforcement officials had adequate training in human rights and public order policing.

29. The Central African Republic encouraged South Africa to extend the process of drafting the national action plan against racism to include xenophobia.

30. Chad applauded the adoption of the national development plan, which illustrated the commitment of South Africa to eliminating poverty and reducing inequality.

31. Chile praised the adoption of the draft national action plan to combat racism, racial discrimination, xenophobia and related intolerance.

32. China welcomed efforts to eliminate racial barriers, promote social inclusion and reduce poverty, as well as to pay attention to vulnerable people.

33. The Congo praised the progress made in health, education, water and access to affordable housing and encouraged South Africa to implement its national development plan.

34. Côte d'Ivoire welcomed the commitment of South Africa to protecting human rights and the adoption of legislation on torture and trafficking in persons.

35. Cuba highlighted the programme to transform the economy, increase employment and reduce inequality and the commitment of South Africa to public health.

36. Czechia welcomed the enactment of the Prevention and Combating of Torture of Persons Act, which criminalized torture.

37. The Democratic People's Republic of Korea commended South Africa for the progress made in education, health care and child protection.

38. Denmark commended South Africa for the development of a national youth policy and the establishment of the South African Youth Council and the National Youth Development Agency.

39. Djibouti congratulated South Africa for making progress in the reduction of poverty and showing leadership in the implementation of the Durban Declaration and Programme of Action.

40. Ecuador acknowledged the efforts to ensure the rights of communities affected by mining activities and the leadership shown on business and human rights.

41. Estonia encouraged South Africa to continue supporting the fight against impunity, as a party to the Rome Statute of the International Criminal Court.

42. Ethiopia commended South Africa for its active participation at the subregional, regional and international levels, including in the Human Rights Council.

43. Finland commended South Africa for inviting the Special Rapporteur on violence against women, its causes and consequences, to visit the country in 2015 and encouraged it to make amendments to the Protection of State Information Bill with a view to guaranteeing the right to access to information and freedom of expression.

44. France encouraged South Africa to implement the recommendations accepted during previous cycles of the universal periodic review.

45. Georgia welcomed efforts to eliminate poverty and encouraged South Africa to continue its efforts to build an inclusive society.

46. Germany commended South Africa for its progress in reducing child and maternal mortality.

47. Ghana encouraged South Africa to implement the Prevention and Combating of Torture of Persons Act and urged it to take steps to ratify and implement the Optional Protocol to the Convention against Torture and to carry out open and transparent consultations, including with civil society, aimed at establishing an independent national preventive mechanism to monitor all places of detention in accordance with the country's obligations under the Convention against Torture.

48. Greece noted the adoption of the Labour Relations Amendment Act and the enactment of the Prevention and Combating of Torture of Persons Act.

49. Guatemala was concerned at reports of acts of discrimination, xenophobia and racism against refugees, asylum seekers and migrants.

50. Haiti made recommendations.

51. The Holy See noted the adoption of the Prevention and Combating of Trafficking in Persons Act and progress achieved regarding health care.

52. Honduras welcomed efforts to ratify human rights instruments and invited South Africa to continue to combat discrimination.

53. Hungary welcomed the ratification of the Covenant on Economic, Social and Cultural Rights and hoped that South Africa would remain a State party to the Rome Statute.

54. Iceland asked what action was being taken to tackle the stigma of abortion and to inform women and girls about reproductive health-care services.

55. Indonesia commended South Africa for adopting the national development plan "Vision 2030", aimed at eliminating poverty.

56. The Islamic Republic of Iran acknowledged the efforts of South Africa in addressing inequality, poverty and unemployment.

57. Iraq commended efforts made by South Africa, including the enactment of the South African Human Rights Commission Act of 2013.

58. Ireland was concerned at the prevalence of gender-based and sexual violence in South Africa.

59. Israel was concerned, inter alia, at the rise in hate crimes and hate speech in South Africa.

60. Italy appreciated the challenges faced by South Africa and welcomed new legislation addressing torture and trafficking in persons.

61. Japan expected that South Africa would continue its efforts to address racism and anti-foreigner sentiment.

62. Kenya commended efforts by South Africa to implement the recommendations from the previous cycles of the universal periodic review.

63. Lebanon appreciated the efforts of South Africa in combating xenophobic crimes and adopting legislation relevant to this aim.

64. Lesotho recognized the commitment of South Africa to protecting human rights, as exemplified by the consultations with stakeholders on its migration policy. It appreciated initiatives taken to quell violence and discrimination and noted measures taken to fulfil citizens' rights to adequate housing.

65. Libya appreciated the ratification of the International Covenant on Economic, Social and Cultural Rights and the efforts of South Africa in combating HIV/AIDS.

66. Liechtenstein supported South Africa remaining a State party to the Rome Statute of the International Criminal Court.

67. Madagascar noted the progress achieved by South Africa since the first cycle of the universal periodic review, including the legislation to prevent and combat torture.

68. Malaysia noted efforts such as the Socioeconomic Justice for All programme and various forms of technical assistance and capacity-building.

69. Mauritania expressed its conviction that South Africa would continue to strengthen its cooperation with the treaty bodies and the special procedures.

70. Mauritius welcomed the draft national action plan to combat racism, racial discrimination, xenophobia and related intolerance and draft legislation on hate crimes and hate speech.

71. Mexico recognized the achievements of South Africa, inter alia, in achieving inclusive education for persons with disabilities.

72. Mongolia welcomed the adoption of relevant legislation and noted advances made in improving living standards and on children's rights.

73. Montenegro asked South Africa about future activities to prevent and eradicate corporal punishment of children in all settings.

74. Mozambique welcomed progress made in terms of access to safe drinking water, poverty reduction and the health and education sectors.

75. Namibia commended South Africa for the ratification of several international human rights instruments since the previous cycle of the universal periodic review.

76. While appreciating legislation to prohibit discrimination on the basis of sexual orientation, the Netherlands noted persisting violence against lesbian, gay, bisexual, transgender and intersex people.

77. The Niger welcomed the adoption of the national development plan "Vision 2030" and the creation of several human rights institutions.

78. Spain welcomed draft legislation on hate crimes and hate speech and the action plan against racism.

79. Pakistan noted the increase in the education budget and the adoption of the Employment Equity Amendment Act.

80. Peru highlighted the 20 per cent budget allocation to education by South Africa and progress in the participation of the black population in public affairs.

81. The Philippines praised the national development plan and the pro-poor education budget, which had increased through the years.

82. Poland appreciated efforts to maintain social cohesion and to address social inequalities inherited from the past.

83. Portugal was concerned at reports of obstacles to birth registration and at discrimination and violence against persons with albinism.

84. The Republic of Moldova appreciated efforts to improve access to education, particularly through the allocation of 20 per cent of the South African budget to education.

85. The Russian Federation commended South Africa for its efforts to provide access to health care, especially immunization, to fight HIV/AIDS and to make progress in primary and secondary education.

86. Rwanda encouraged South Africa to combat sexual and gender-based violence through the implementation of relevant laws to ensure justice for victims.

87. Senegal welcomed the implementation of policies, such as the social package, aimed at reducing the cost of living for disadvantaged persons.

88. In response to questions raised regarding gender-based violence and sexual offences, the delegation recalled that the Government had undertaken various initiatives and provided detailed information on them. For example, it had set up an interministerial committee to investigate the root causes of gender-based and sexual violence, expanded the reach of specialized courts, established specialized health-care facilities known as "Thuthuzela care centres" and amended its legislation. With regard to questions on *ukuthwala*, the delegation explained that there was debate on whether the practice as a whole was a problem. Nonetheless, it was highlighted that the Prevention and Combating of Trafficking in Persons Act specified that conducting a forced marriage for the purpose of exploitation was a crime and that any such cases of forced marriage could be prosecuted under the Act.

89. On the ratification of the Optional Protocol to the Convention against Torture, the delegation recalled that discussions on the national preventive mechanism were still taking place and provided additional information on a number of initiatives that were being carried out regarding the rights of persons deprived of their liberty.

90. With regard to the issue of lesbian, gay, bisexual, transgender and intersex people, it was highlighted that discrimination based on sexual orientation and gender identity was unlawful in the country. Equality courts, which were civil, not criminal, courts, could receive complaints regarding allegations of discrimination on the basis of a whole range of criteria, including sexual orientation.

91. The delegation noted that not many criminal cases related to albinism had been registered but that, given the potential for challenges to arise, it had been included as one of the prohibited grounds in the Prevention and Combating of Hate Crimes and Hate Speech Bill.

92. Regarding questions on compliance by the traditional courts with international standards, the delegation recalled that in South Africa any legislation or act that was not in

accordance with the Constitution would be struck down by the Constitutional Court. Parliament was examining a bill aimed at bringing traditional courts into line with the Constitution.

93. With regard to questions on the Rome Statute, the commitment of South Africa to the protection of human rights and the fight against impunity was unwavering. However, the fact that the country had been involved with the International Criminal Court from its inception did not imply that South Africa ignored its duty to reflect critically on whether the Court was successfully addressing war crimes, genocide and crimes against humanity, or whether it was hampering States in carrying out peace and conflict resolution operations. Furthermore, there were perceptions of inequality and unfairness relating to the situations investigated and individuals prosecuted by the Court. The difficult initial decision to withdraw from the Court had been the result of those reflections and appealed to Member States to respect and allow national processes to continue to unfold.

94. On questions relating to business and human rights, it was clarified that the country's legislative and regulatory framework was relatively well developed and that all South African businesses were expected to uphold human rights standards. Additionally, South Africa and Ecuador had launched an initiative aimed at developing a legally binding instrument to ensure that transnational corporations and other business enterprises were accountable for human rights violations.

95. With regard to birth registration, the delegation noted that before the advent of democracy in 1994, only the births of white South Africans were recorded at the time of birth. Measures to ensure birth registration adopted since then had included, as a temporary measure, late birth registration. However, birth registration was important for the protection of children and since 2010 the Government had intensified efforts to ensure early birth registration.

96. On the issue of refugees and asylum seekers, it was indicated that South Africa was a party to the 1951 Convention relating to the Status of Refugees. However, the ability to determine who may enter and exit the country was a core aspect of national sovereignty and the new draft policy on the issue of migration balanced the imperatives of national security, economic development and international and constitutional obligations.

97. The Government was still considering whether to ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. It had actively participated in both international and regional processes relevant to the issue and had enacted legislation that was consistent with the spirit and the letter of those instruments.

98. On the policing of demonstrations and gatherings, the delegation explained that the law guaranteed the right to protest peacefully. Nonetheless, a commission that had been established to look into the Marikana incident had recommended that a group of experts be appointed to make recommendations on the policing of demonstrations. The group had been appointed and the Government was awaiting its recommendations.

99. South Africa had developed a specific policy on teenage pregnancy and provided details in that regard, stressing that the policy affirmed the constitutional right of pregnant learners to continue and to complete their basic education without discrimination. As for sexual violence in schools, various policy measures had been implemented to ensure the safety of all learners in schools and detailed information regarding such measures had been provided.

100. Serbia welcomed the institutional and policy measures related to children's rights and commended South Africa for the reduction in infant and child mortality.

101. Sierra Leone noted the multisectoral five-year plan to address HIV/AIDS as well as the ongoing prevention, treatment and care programmes.

102. Singapore commended South Africa for its sustained efforts to transform its education sector by increasing access to education, including for persons with disabilities.

103. Slovenia encouraged South Africa to ratify the optional protocols to the International Covenant on Economic Social and Cultural Rights and the Convention against Torture.

104. South Sudan welcomed efforts to improve standards of living and housing by prioritizing access to water and sanitation.

105. Norway noted that since the end of apartheid South Africa had strongly supported the international human rights system.

106. Sri Lanka noted the progress made in improving maternal mortality and life expectancy and the measures taken to expand access to education.

107. The State of Palestine noted the development of a national plan to combat racism, racial discrimination, xenophobia and related intolerance.

108. The Sudan appreciated the adoption of the national development plan and the drafting of a national action plan to combat racism, racial discrimination and related intolerance.

109. Sweden commended South Africa for accepting most of the recommendations arising from the second cycle of the universal periodic review.

110. Switzerland expressed concern about the increase in the number of cases of torture reported by the Independent Police Investigative Directorate.

111. Thailand welcomed the steps taken to address xenophobia and hate crimes, including the adoption of relevant laws.

112. Timor-Leste welcomed the enactment of the South African Human Rights Commission Act and the Prevention and Combating of Trafficking in Persons Act.

113. Togo appreciated the measures and action taken with a view to eliminating poverty and reducing inequalities.

114. Tunisia welcomed the efforts made to enhance economic and social rights, particularly the national development plan, which is aimed at eradicating poverty and inequality.

115. Turkey drew attention to challenges such as unemployment, poverty and social inequality, which were directly linked to the increasing crime rates and xenophobia.

116. Uganda noted the Socioeconomic Justice for All programme, as well as its policy on inclusive education.

117. Ukraine welcomed the steps taken to ensure the right to education for all and combat different forms of gender-based violence and discrimination.

118. The United Arab Emirates commended South Africa for taking steps to combat trafficking in persons, including by adopting legislation criminalizing trafficking.

119. The United States of America was concerned that women, girls, migrants and lesbian, gay, bisexual, transgender and intersex individuals continued to suffer from violence and societal prejudice.

120. Uruguay welcomed the Prevention and Combating of Hate Crimes and Hate Speech Bill and measures to ensure access to water and sanitation.

121. The Bolivarian Republic of Venezuela congratulated South Africa for its world leadership in the application of the Durban Declaration and Programme of Action.

122. Yemen commended South Africa for ratifying the International Covenant on Economic, Social and Cultural Rights and for enacting legislation against torture.

123. Zambia was concerned about the high prevalence of harmful practices, including virginity testing, violent or harmful initiation rights and intersex genital mutilation.

124. Zimbabwe noted the ratification of the International Covenant on Economic, Social and Cultural Rights and the submission of country reports.

125. Albania commended South Africa for the ratification of international instruments and its commitment to the global system of governance.

126. Algeria commended South Africa for its efforts to combat racism and for drafting a national action plan on the issue.

127. Angola congratulated South Africa for ratifying the International Covenant on Economic, Social and Cultural Rights.

128. Argentina congratulated South Africa for adopting its national development plan, aimed at reducing poverty.

129. Australia encouraged South Africa to continue its efforts to fully implement its constitutional human rights protections.

130. Austria was concerned about the excessive use of force by security forces, corruption within the police and violence against women.

131. Azerbaijan commended the adoption of the national development plan and reforms to ensure the protection of human rights.

132. The Maldives commended efforts to improve access to education for children with disabilities through the policy on inclusive education.

133. The United Kingdom welcomed the steady implementation of the national development plan.

134. The delegation recalled that efforts regarding the right to health and particularly HIV/AIDS had begun to bear fruit, with a reduction in mother-to-child transmissions, deaths and new infections and an increase in life expectancy.

135. The current rates of maternal mortality had been affected by the high rates of HIV/AIDS. A number of measures that had been adopted by the Government that should have a positive impact on maternal mortality.

136. An increasing number of measures had been put into place to deal with corruption, including proposed legislation to protect whistle-blowers, measures regarding the prosecution of persons suspected of involvement in such allegations, increased disclosure measures for senior public officials and institutions charged with addressing the issue.

137. Everyone in the country, including persons with disabilities and migrants, had a right to basic education. In South Africa, most rights applied to everyone; only a few rights were denied to foreign nationals.

138. In conclusion, the delegation thanked States for their questions and concerns and for the attention given to the review. All comments would be carefully considered in the framework of the universal periodic review process.

II. Conclusions and/or recommendations

139. **The following recommendations will be examined by South Africa, which will provide responses in due time, but no later than the thirty-sixth session of the Human Rights Council:**

139.1 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Burkina Faso) (Niger) (Uganda) (Philippines) (Sierra Leone);**

139.2 **Promptly ratify the International Convention on the Rights of All Migrant Workers and Members of Their Families (Guatemala);**

139.3 **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Sri Lanka) (Sudan);**

139.4 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Portugal) (Germany) (Sierra Leone);**

139.5 **Ratify without delay the International Convention for the Protection of All Persons from Enforced Disappearance (Japan);**

139.6 **Become a party to the International Convention for the Protection of All Persons from Enforced Disappearance (Albania) (Central African Republic) (Iraq);**

139.7 **Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Spain) (Denmark) (Italy) (Lebanon) (Montenegro) (Senegal) (Burkina Faso) (Portugal) (Philippines) (Germany);**

139.8 **Promptly ratify the Optional Protocol to the Convention against Torture (Guatemala);**

139.9 **Ratify protocols as committed to, including the Optional Protocol to the Convention against Torture (Austria);**

139.10 **Become a party to the Optional Protocol to the Convention against Torture (Albania) (Togo);**

139.11 **Ratify the Optional Protocol to the Convention against Torture, signed in 2006 (Brazil);**

139.12 **Continue to take measures to prevent torture and other forms of ill-treatment, including steps towards the ratification of the Optional Protocol to the Convention against Torture (Georgia);**

139.13 **Intensify its efforts to ratify the Optional Protocol to the Convention against Torture, including by holding multi-stakeholder consultations on a possible national preventive mechanism model most suitable for South Africa (Rwanda);**

139.14 **Ratify the Optional Protocol to the Convention against Torture with a view to establishing a national preventive mechanism against torture (Chile);**

139.15 **Ratify the Optional Protocol to the Convention against Torture and establish a national preventive mechanism (Hungary);**

139.16 **Ratify, before the next cycle of the universal periodic review, the Optional Protocol to the Convention against Torture and adopt measures to improve access to justice, redress and rehabilitation for victims of torture (Czechia);**

139.17 **Take all necessary measures to ensure that all reports of ill-treatment and torture in prisons and centres of detention are adequately investigated and ratify the Optional Protocol to the Convention against Torture (Estonia);**

139.18 **Ratify the Optional Protocol to the Convention against Torture, to open up for international inspection its places of detention (Norway);**

139.19 **Ratify the Optional Protocol to the International Covenant on Economic Social and Cultural Rights (Spain) (Philippines) (Portugal);**

139.20 **Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Spain) (Portugal) (Montenegro);**

139.21 **Ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Belgium) (Germany);**

139.22 **Accede to and implement the 1954 and 1961 statelessness conventions (Kenya);**

139.23 **Accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Australia);**

139.24 **Promptly ratify the Indigenous and Tribal Peoples Convention, 1989 (No. 169), of the International Labour Organization (ILO) (Guatemala);**

139.25 **Strengthen domestic efforts to tackle modern slavery of children and rural workers, including through ratification of the ILO Protocol of 2014 to the**

Forced Labour Convention, 1930 (United Kingdom of Great Britain and Northern Ireland);

139.26 Ratify the Kampala amendments to the Rome Statute of the International Criminal Court on the crime of aggression (Liechtenstein);

139.27 Reconsider the announcement of its possible withdrawal from the Rome Statute (Peru);

139.28 Reconsider the decision to withdraw from the Rome Statute of the International Criminal Court (Greece);

139.29 Uphold its commitment to and obligations under the Rome Statute of the International Criminal Court (Czechia);

139.30 Continue its active engagement with the United Nations human rights mechanisms (Azerbaijan);

139.31 Facilitate the visit of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (Congo);

139.32 Accept the request for a visit by the Special Rapporteur on the human right to safe drinking water and sanitation (Uruguay);

139.33 Establish a standing interministerial committee to improve coordination in relation to human rights reporting and follow up on the implementation of recommendations (Ireland);

139.34 Adopt an open, merit-based selection process when selecting national candidates for United Nations treaty body elections (United Kingdom of Great Britain and Northern Ireland);

139.35 Ensure sufficient resources to the so-called chapter 9 institutions, which, as independent oversight bodies, serve a crucial purpose in upholding the rule of law and good governance (Finland);

139.36 Continue strengthening the national human rights institutions of South Africa in accordance with its Constitution in order for them to be able to exercise their powers and execute their functions impartially and independently (Indonesia);

139.37 Provide adequate financial resources to the South African Human Rights Commission to enable it to carry out its work (Uganda);

139.38 Establish an effective and independent national mechanism for the prevention of torture according to the criteria of the Optional Protocol to the Convention against Torture (Switzerland);

139.39 Develop an independent child rights monitoring mechanism and allocate adequate financial resources to ensure effective implementation of the relevant international obligations (Mongolia);

139.40 Continue to adequately fund the medium-term strategic framework and to refine its consolidated planning, monitoring and evaluation mechanisms to support the Framework's effective implementation (Singapore);

139.41 Commit to procurement and e-governance reforms, including the full implementation of the Open Government Partnership national action plan and a permanent dialogue mechanism with civil society (United States of America);

139.42 Pursue initiatives within the framework of the Durban Declaration and Programme of Action (Ecuador);

139.43 Expedite implementation of the Prevention and Combating of Hate Crimes and Hate Speech Bill and of a national action plan to combat racism, racial discrimination, xenophobia and related intolerance (Spain);

139.44 Expedite the adoption of the Prevention and Combating of Hate Crimes and Hate Speech Bill (Madagascar);

139.45 **Expedite the adoption of the Prevention and Combating of Hate Crime and Hate Speech Bill, ensuring a strong legal framework against such crimes (Norway);**

139.46 **Complete the process of adopting the Prevention and Combating of Hate Crimes and Hate Speech Bill (Cuba);**

139.47 **Expedite the legislative process related to the draft national action plan to combat racism, racial discrimination, xenophobia and related intolerance (Turkey);**

139.48 **Continue efforts to combat racial discrimination and hate speech, accelerate the enactment of the law concerning hate crimes and hate speech, which has been presented for general comments (Tunisia);**

139.49 **Adopt the law of 2016 on prevention and combating of hate crimes and hate speech and work towards disseminating a culture of coexistence and enhancing the values of tolerance (United Arab Emirates);**

139.50 **Ensure that the Prevention and Combating of Hate Crimes and Hate Speech Bill is in conformity with the International Convention on the Elimination of All Forms of Racial Discrimination and make every effort to expedite its enactment (Uruguay);**

139.51 **Continue to combat hate crimes and hate speech, and ensure that the provisions of the Prevention and Combating of Hate Crimes and Hate Speech Bill cannot be used to restrict the rights to freedom of expression and religion (Estonia);**

139.52 **Ensure proper implementation of the Prevention and Combating of Hate Crimes and Hate Speech Bill and the draft national action plan to combat racism, racial discrimination, xenophobia and related intolerance, once adopted (Republic of Moldova);**

139.53 **Expedite the approval of the draft national action plan to combat racism, racial discrimination, xenophobia and related intolerance, by the relevant organ, and allocate proper resources for its implementation (Ethiopia);**

139.54 **Accelerate procedures for adopting the draft national action plan to combat racism, racial discrimination, xenophobia and related intolerance (Togo);**

139.55 **Consolidate the draft national action plan to combat racism, racial discrimination, xenophobia and related intolerance (Bolivarian Republic of Venezuela);**

139.56 **Continue efforts to finalize the draft national action plan to combat racism, racial discrimination, xenophobia and related intolerance (Namibia);**

139.57 **Take all necessary steps to address xenophobia through legislation, appropriate public awareness programmes and promotion of tolerance and cultural diversity, and adopt a national action plan to combat racism, racial discrimination, xenophobia and related intolerance (Sweden);**

139.58 **Continue to promote the effective implementation of the Durban Declaration and Programme of Action by the international community, in order to combat racism (China);**

139.59 **Engage civil society, activists, non-governmental organizations and the media to seek common ground on the draft hate crimes bill (United States of America);**

139.60 **Strengthen measures to prevent violence against foreigners. These include comprehensive education and awareness programmes regarding xenophobia and the rights of migrants, including refugees and asylum seekers, as well as programmes that promote inclusion (Canada);**

139.61 **Raise social awareness against any form of xenophobic and racist thinking and attitudes for the benefit of sustainable development and regional stability (Hungary);**

139.62 **Conduct educational campaigns on access to judicial remedies for racial discrimination (Timor-Leste);**

139.63 **Heed the recommendation of the Human Rights Committee to redouble efforts to prevent and eliminate all manifestations of racism and xenophobia, as well as to improve the policing action in its response to violence against non-citizens (Honduras);**

139.64 **Improve police responses to violence against foreigners (Central African Republic);**

139.65 **Redouble efforts to prevent and eradicate all manifestations of racism and xenophobia and improve the policing action in its response to violence against refugees, asylum seekers and migrants, among others (Guatemala);**

139.66 **Continue its efforts to prevent and eradicate all manifestations of racism and xenophobia and to improve policing responses to violence against non-nationals (State of Palestine);**

139.67 **Not only work to bring perpetrators to justice, but also establish a dialogue among relevant stakeholders to address the root causes of xenophobia (Thailand);**

139.68 **Prosecute perpetrators of crimes motivated by racial discrimination and xenophobia and encourage dialogue among communities in conflict (Central African Republic);**

139.69 **Take appropriate action to punish people motivated by racial discrimination and xenophobia (Uganda);**

139.70 **Ensure the investigation of all incidents of hate crimes and hate speech and prosecute the perpetrators (Israel);**

139.71 **Work to hold perpetrators of xenophobic violence to account (Australia);**

139.72 **Take proper legal measures, including compensations on the attacks on foreign nationals resulting in loss of life and damage to property in parts of the country (Ethiopia);**

139.73 **Continue efforts to combat all forms of racial discrimination, xenophobia and racism, in particular with respect to refugees, asylum seekers and migrants (Senegal);**

139.74 **Continue its efforts to combat discrimination, xenophobia and racism against non-citizens (Bangladesh);**

139.75 **Redouble its efforts to prevent and eliminate all signs of racism and xenophobia (Central African Republic);**

139.76 **Fight all forms of xenophobia and reject discrimination against migrants (Chad);**

139.77 **Take adequate measures to combat acts of racism and xenophobia against non-nationals (Congo);**

139.78 **Strengthen its policy to combat racism, racial discrimination, xenophobia and related intolerance (Côte d'Ivoire);**

139.79 **Take all additional measures to prevent and eradicate all manifestations of any form of racism and xenophobia against non-citizens, including refugees, asylum seekers and migrants (Greece);**

139.80 **Take measures to prevent risks of violence against foreigners, migrants or asylum seekers (France);**

139.81 Take all required measures to halt the exploitation of migrants, asylum seekers and refugees and facilitate their integration into society (Turkey);

139.82 Prevent racial discrimination and other forms of expression with xenophobic overtones against foreigners (Kenya);

139.83 Strengthen measures to prevent and eradicate all manifestations of discrimination, xenophobia and violence against foreign nationals (Rwanda);

139.84 Continue its efforts aimed at combating racism and racial discrimination and xenophobia (Libya);

139.85 Promote dialogue within the communities with a view to face the root causes of discrimination and violence (Guatemala);

139.86 Exert additional efforts to combat discrimination and xenophobia (Iraq);

139.87 Step up measures aimed at addressing the systematic attacks on immigrants (Mozambique);

139.88 Continue to improve socioeconomic development strategies and plans in order to avoid xenophobia and other forms of intolerance towards foreigners in South Africa (Ukraine);

139.89 Enhance the prevention, investigation and prosecution of violent crimes against individuals belonging to vulnerable groups (United Kingdom of Great Britain and Northern Ireland);

139.90 Consider expanding the policy of affirmative action to the coloured population (Peru);

139.91 Protect persons with albinism from violence, abduction, discrimination and stigmatization (Portugal);

139.92 Protect people with albinism (Congo);

139.93 Take measures to protect people with albinism and to develop educational campaigns to promote tolerance and respect for diversity (Israel);

139.94 Thoroughly investigate and prosecute reported incidents of abductions and killings of persons with albinism (Sierra Leone);

139.95 Include in its action plans the protection of persons with albinism (Honduras);

139.96 Strengthen the protection of people with albinism from violence, abduction, discrimination, stigmatization and related intolerance (Mauritania);

139.97 Engage non-governmental organizations on the lesbian, gay, bisexual, transgender and intersex task team and update and implement the national lesbian, gay, bisexual, transgender and intersex strategy (United States of America);

139.98 Develop policies, plans and information campaigns to eradicate at all levels stereotypes and discrimination against people based on their sexual orientation or gender identity, focusing particularly on public officials and those in charge of law enforcement (Chile);

139.99 Strengthen the protection of lesbian, gay, bisexual, transgender and intersex persons against stigmatization, harassment and discrimination by promoting tolerance for sexual diversity and different gender identities and by clearly classifying acts of violence against these persons as hate crimes (Belgium);

139.100 Take urgent measures for the investigation and effective punishment of perpetrators of discrimination and violence against lesbian, gay, bisexual, transgender and intersex persons (Argentina);

139.101 **Take steps to ensure the prevention, investigation and prosecution of cases of violence against persons based on sexual orientation and gender identity (Israel);**

139.102 **Strengthen its system for monitoring, reporting and analyzing crimes of violence and discrimination against individuals based on grounds of sexual orientation or gender identity (Netherlands);**

139.103 **Consider giving priority attention to indigenous peoples, in particular with reference to language, education and land redistribution (Peru);**

139.104 **Increase the efficiency and the systematic implementation of the law on the development of mining resources, in the field of employment, housing, social development and protection of the environment (Cabo Verde);**

139.105 **Continue to develop and implement a framework that holds companies, particularly those in the extractive sector, accountable for the human rights violations and the environmental degradation caused by their operations (Philippines);**

139.106 **Define and enforce regulations to ensure that companies comply with international and national standards relating to human rights, labour, the environment and others (Togo);**

139.107 **Continue to combat violence and crime in large cities (Angola);**

139.108 **Strengthen its efforts against the excessive use of force by police forces (Cabo Verde);**

139.109 **Revise laws and policies regarding public order policing and the use of force, including lethal force by law enforcement officials (Greece);**

139.110 **Take further action regarding oversight of and training for security forces in human rights, including to address violence related to hatred against foreigners, and make sure security forces carrying out law enforcement duties comply with United Nations standards (Austria);**

139.111 **Redouble efforts to reduce the use of excessive force by the police through a comprehensive effort to educate policemen on proper procedures and prosecute those law enforcement officials who persist (Iceland);**

139.112 **Take effective measures to prevent the excessive use of force and to protect the human rights of persons in detention facilities (Holy See);**

139.113 **Improve conditions in detention centres and avoid overcrowding, as well as the detention of migrants (Mexico);**

139.114 **Ensure that the Independent Police Investigative Directorate investigates all allegations of torture (Germany);**

139.115 **Step up its efforts to improve legal aid for destitute people in order to guarantee access to justice and a fair trial for all (Burundi);**

139.116 **Ensure that bills relating to traditional courts and traditional leaders currently under discussion are in conformity with the international commitments of South Africa (France);**

139.117 **Continue to pay further attention to improving the rule of law (Russian Federation);**

139.118 **Continue its efforts to ensure the right to access to information and freedom of expression by adopting regulations that would be in accordance with both the South African Constitution and the international treaties and commitments of South Africa (Poland);**

139.119 **Review the current text of the Protection of State Information Bill in order to remove any limitations on freedom of expression, including the unwarranted persecution of whistle-blowers (Sweden);**

139.120 **Continue to revise the Protection of State Information Bill so that it fully respects international human rights law, in particular the right to freedom of opinion and expression (Switzerland);**

139.121 **Safeguard journalists and writers, especially those working for State-owned media houses or public broadcasters, so they can work freely and without fear of reprisal for expressing critical opinions or covering subjects that the Government may find sensitive (Sweden);**

139.122 **Ensure that all communications surveillance requires a test of necessity and proportionality (Liechtenstein);**

139.123 **Take the necessary steps to ensure that all the operations of intelligence agencies are monitored by an independent oversight mechanism (Liechtenstein);**

139.124 **Continue the ongoing efforts to combat human trafficking and strengthen measures to protect victims of trafficking (Sri Lanka);**

139.125 **Closely cooperate with relevant governmental and non-governmental foreign agencies to tackle trafficking in persons and ensure that appropriate protection is rendered to various groups of victims, including victims who are foreign nationals (Thailand);**

139.126 **Continue the efforts aimed at combating trafficking in persons, particularly women and children, in the framework of enforcing national legislation and the international conventions that South Africa has ratified (United Arab Emirates);**

139.127 **Continue measures to combat trafficking in human beings (Azerbaijan);**

139.128 **Continue its efforts to combat trafficking of persons through the effective implementation of the Prevention and Combating of Trafficking in Persons Act (Maldives);**

139.129 **Consider formulating a national plan of action on trafficking, with a particular focus on data on trafficking in children (Bangladesh);**

139.130 **Continue to promote sustainable economic and social development, eradicate poverty and improve people's living standards (China);**

139.131 **Build on its rule of law tradition to actively combat corruption and other obstacles to the economic, social, cultural, civil and political rights of its people (Norway);**

139.132 **Continue its efforts to implement measures aimed at the economic transformation of the country (Pakistan);**

139.133 **Continue to make efforts for the enjoyment of the rights to work, health, education and food (Russian Federation);**

139.134 **Continue strengthening social programmes in the context of nation-building and social cohesion (Bolivarian Republic of Venezuela);**

139.135 **Continue its efforts to implement the country's national development plan (Pakistan);**

139.136 **Continue to consolidate the national development plan on the eradication of poverty (Bolivarian Republic of Venezuela);**

139.137 **Redouble its efforts to address challenges in terms of economic rights, namely to reduce unemployment and alleviate poverty (Indonesia);**

139.138 **Strengthen its policy and programmatic measures aimed at addressing the big challenges of inequality, poverty and unemployment (Zimbabwe);**

139.139 **Redouble efforts to improve access by young people and vulnerable groups to decent work (Angola);**

139.140 **Continue programmes to foster economic growth and reduce unemployment (Russian Federation);**

139.141 **Continue to ensure effective access to social protection for vulnerable groups (Madagascar);**

139.142 **Continue to implement actions aimed at reducing poverty and inequality (Cuba);**

139.143 **Strengthen its policy to fight poverty in rural areas (Côte d'Ivoire);**

139.144 **Continue its poverty reduction policy, particularly for vulnerable groups in isolated and rural areas (Djibouti);**

139.145 **Continue its endeavours on development and poverty alleviation throughout the community, notably for vulnerable groups, such as women and children (Islamic Republic of Iran);**

139.146 **Take further steps to improve the conditions of vulnerable categories of its population, in particular children in poverty, who face food insecurity and mistreatments, and disabled people, who are still victims of stigmatization and discrimination (Poland);**

139.147 **Continue its efforts to eradicate poverty and inequality (Lebanon);**

139.148 **Continue its efforts to eradicate poverty and social inequality (South Sudan);**

139.149 **Continue its efforts to achieve development, the eradication of poverty and the elimination of racial discrimination (Yemen);**

139.150 **Continue its efforts aimed at eliminating poverty and reducing inequality (Azerbaijan);**

139.151 **Continue to promote rural development policies for the protection of the rights of peasants and other persons working in rural areas (Plurinational State of Bolivia);**

139.152 **Explore the possibility of a universal basic income in place of the existing social protection system, in consultation with all the stakeholders (Haiti);**

139.153 **Expedite the necessary consultative and legislative processes for the establishment of mandatory retirement benefits for all working persons who retire due to old age or disability (Mauritius);**

139.154 **Build on the progress made to provide adequate housing through such programmes as the integrated human settlements grant and the urban settlements development grant (Malaysia);**

139.155 **Continue efforts to ensure that households, schools and health facilities have access to safe water and sanitation (Djibouti);**

139.156 **Continue to enhance the realization of the human rights to water and sanitation, giving special attention to ensuring that all homes, health centres and educational establishments have safe drinking water and improved sanitation facilities (Spain);**

139.157 **Continue efforts to enable all households, schools and health centres to have access to safe drinking water and sanitation (Uruguay);**

139.158 **Take all the necessary measures to optimize land distribution, while implementing a land reform, providing adequate support and training to beneficiaries, in close consultation with all stakeholders (Haiti);**

139.159 **Continue taking measures aimed at eliminating historical injustices and inequalities in all sectors, especially in the health and education sectors, in order to improve the living standards of all its people (Namibia);**

139.160 **Continue its efforts to improve the health-care system (Sudan);**

139.161 **Continue efforts to ensure access to quality health care to all South Africans in line with efforts to achieve universal health-care coverage by 2030 (Malaysia);**

139.162 **Strengthen efforts to diminish the gap in health care between rural and urban areas (Holy See);**

139.163 **Take effective measures to eliminate the disparity in health-care provision between rural and urban areas and to improve the quality of health services across the country, including through the adoption of effective legislation and amendments on the national health (Maldives);**

139.164 **Continue to address the issue of maternal mortality (Portugal);**

139.165 **Consolidate and fully implement programmes for preventing and eliminating tuberculosis and engage in international cooperation in this regard (Democratic People's Republic of Korea);**

139.166 **Continue its measures to eliminate discrimination and increase its efforts to tackle HIV infection by ensuring equal access to treatment and support (Japan);**

139.167 **Continue its efforts in the fight against HIV by adopting a comprehensive national policy to deal with the epidemic and diseases that are sexually transmitted and tuberculosis (Libya);**

139.168 **Increase its efforts in addressing the HIV epidemic (Turkey);**

139.169 **Continue programmes to fight HIV/AIDS (Algeria);**

139.170 **Strengthen national policies in the area of public health coverage, particularly in the fight against HIV/AIDS in rural areas (Angola);**

139.171 **Continue implementing measures to prevent HIV/AIDS transmission (Islamic Republic of Iran);**

139.172 **Ensure comprehensive sexuality education in the school curriculum, including on consent, contraception and gender-based violence (Denmark);**

139.173 **Improve knowledge among health-care workers and adolescents about sexual and reproductive health and rights, including through comprehensive sexuality education that involves men and boys (Iceland);**

139.174 **Prevent unwanted pregnancies as provided under the Choice on Termination of Pregnancy Act (Iceland);**

139.175 **Make further efforts to achieve equal and universal access to education (Democratic People's Republic of Korea);**

139.176 **Increase its activities towards the full realization of the right to education and continue increasing investment in this field (Islamic Republic of Iran);**

139.177 **Continue to broaden the scope for access to and quality of public education, as well as ensuring equal opportunities and leaving no one behind, from primary through secondary to tertiary level (Botswana);**

139.178 **Ensure unconditional access to primary, secondary and tertiary education for all groups of society, irrespective of their socioeconomic situation, ethnic background or gender (Germany);**

139.179 **Improve the quality of basic education through programmes to ensure that teachers have adequate content knowledge and appropriate**

training, as well as by prioritizing the most disadvantaged schools in infrastructure and other improvement programmes (Canada);

139.180 **Further increase investment so as to improve education in rural areas (China);**

139.181 **Continue to adequately resource its provincial schools building programme so that more children, particularly those from poor rural communities, can have access to schools that are safe and adequately equipped (Singapore);**

139.182 **Continue its efforts to improve the quality of education, including the quality and availability of school facilities, educational materials, teaching staff and curricula, prioritizing the most disadvantaged schools (State of Palestine);**

139.183 **Take concrete measures to ensure the right to education for all, focusing on decreasing the level of dropouts and on improving the quality of education (Republic of Moldova);**

139.184 **Provide appropriate solutions to the significant decline in the rate of school attendance in secondary education, especially among girls (Mauritania);**

139.185 **Prioritize the retention of girls in schools and accord to them the opportunity and the environment to progress at a par with their male colleagues (Botswana);**

139.186 **Continue providing human rights education, in particular through access to information and promoting existing mechanisms for protection and reparation (Ecuador);**

139.187 **Adopt measures to ensure the inclusive education of persons with disabilities (Israel);**

139.188 **Prioritize implementing the right to an inclusive basic education for all children with disabilities (Australia);**

139.189 **Continue its efforts to combat all forms of discrimination against women, to fight violence against them and to enhance their presence in higher decision-making positions (Tunisia);**

139.190 **Consolidate its ongoing programmes to promote women's empowerment and gender equality (Zimbabwe);**

139.191 **Strengthen its efforts to promote gender equality (Timor-Leste);**

139.192 **Take urgent measures to repeal laws that discriminate against women in matters such as marriage and family relations (Argentina);**

139.193 **Expedite the enactment of the proposed Women Empowerment and Gender Equality Bill (Maldives);**

139.194 **Adopt as soon as possible the Women's Empowerment and Gender Equality Bill (Spain);**

139.195 **Step up its fight against gender-based discrimination and violence, uproot its social acceptability and increase efforts for the protection of its victims and redress for violations of their rights, as well as efforts on accountability of perpetrators (Czechia);**

139.196 **Prevent and combat all forms of discrimination and eliminate violence against women, including domestic violence (Philippines);**

139.197 **Reduce violence against women through awareness and mobilization campaigns to change social norms, significantly strengthen legal accountability in cases of violence against women and improve national strategic planning to mobilize resources and improve coordination in combating violence against women (Canada);**

139.198 **Implement a national strategy to modify or eradicate, in accordance with the Convention on the Elimination of All Forms of Discrimination against Women, harmful practices and stereotypes that discriminate against women (Uruguay);**

139.199 **Strengthen efforts to prevent and combat all forms of discrimination and violence against women, also by adopting and implementing effective measures on the issue, and ensure that women victims of violence receive appropriate help and that perpetrators are brought to justice (Italy);**

139.200 **Work to eradicate harmful cultural or traditional practices against women and girls by conducting educational campaigns, encouraging reporting of cases and publically denouncing such practices; by urgently providing an adequate budget for the implementation of key measures of the Domestic Violence Act; and by strengthening the systematic and comprehensive collection of disaggregated data related to the incidence of all forms of violence against women, including femicide and intimate partner violence, and by using this data to inform its policy responses and monitoring (Ireland);**

139.201 **Take all necessary measures to safeguard the full enjoyment of human rights by women and girls, including by combating sexual and gender-based violence (Estonia);**

139.202 **Continue to combat gender-based violence (Djibouti);**

139.203 **Strengthen efforts undertaken to combat violence against women (France);**

139.204 **Conduct a thorough investigation of the root causes of gender-based violence and base future policy interventions on its results (Norway);**

139.205 **Strengthen measures to address the serious and ongoing issue of violence against women, while taking on board the recommendations of the Special Rapporteur on violence against women, its causes and consequences (Japan);**

139.206 **Ensure implementation of the Domestic Violence Act, especially on violence against women (Namibia);**

139.207 **Render operational and grant adequate resources to the National Council against Gender-Based Violence and develop a multisectoral national strategic plan on this issue (Spain);**

139.208 **Adopt a comprehensive national plan to address comprehensively the problem of gender-based violence, whether physical, psychological or sexual, providing to all relevant public services sufficient resources to implement these policies, taking into account the specific circumstances of women and girls who suffer from the most serious vulnerability (Chile);**

139.209 **Set in place a comprehensive, national coordinated strategy to address gender-based violence in order to ensure the implementation of the legal framework and to tackle the high prevalence of sexual and gender-based violence, including against children (Finland);**

139.210 **Develop a comprehensive, multisectoral national strategic plan on gender-based violence (Netherlands);**

139.211 **Revive efforts to develop a national action plan on combating gender-based violence (Georgia);**

139.212 **Revive efforts to develop a national strategic plan on gender-based violence and ensure appropriate resources for its implementation (Slovenia);**

139.213 **Adopt additional measures to combat all kinds of gender-based violence and to enforce the existing legislation on the matter by, inter alia, promoting awareness campaigns and providing appropriate care to women and girls victims of violence (Brazil);**

139.214 **Develop comprehensive policies and programmes on gender-based violence, including training of security forces, prosecutors and judges in order to properly deal with those cases (Israel);**

139.215 **Undertake continued and enhanced efforts to protect and provide redress to women suffering from violence and to continue raising awareness, through training and other means, in the judicial system, including to the police, of the necessity to act against all cases of sexual and gender-based violence, including on the grounds of real or perceived sexual orientation, gender identity or expression (Sweden);**

139.216 **Carry out a national outreach campaign for the elimination of sexual and gender-based violence which includes information on the rights of victims (Mexico);**

139.217 **Increase efforts to guarantee women's access to justice, protection and other remedies and put in place stronger mechanisms to protect women and girls from gender-based violence and provide redress to victims (Austria);**

139.218 **Deploy the necessary efforts to improve the functioning of the courts dealing with sexual crimes in the country, while intensifying public awareness-raising campaigns aimed at reducing the underutilization of these courts (Haiti);**

139.219 **Reinforce its efforts to ensure the thorough investigation and prosecution of crimes of gender-based and domestic violence and guarantee access to justice for victims (Mongolia);**

139.220 **Allocate sufficient resources to implement its youth policy to ensure meaningful use of youth delegates participating in international forums, and inclusion of youth in rural areas and strengthen political impartiality and independence of youth representation[1] (Denmark);**

139.221 **Harmonize legislation in order to ensure that the minimum age of marriage is increased to 18 years for boys and girls, without exception (Haiti);**

139.222 **Implement the Convention on the Rights of the Child through the harmonization of its national laws to ensure that the minimum age for marriage is established at 18 years for both girls and boys and remove barriers to birth registration (Kenya);**

139.223 **Increase the age of marriage to 18 years for both boys and girls and harmonize legislation to this effect (Sierra Leone);**

139.224 **Harmonize the South African legislation to ensure that the minimum age for marriage is established at 18 years for both boys and girls (Zambia);**

139.225 **Ensure in national legislation that the minimum age for marriage is 18 years for both girls and boys and take all necessary measures to prevent and eliminate child sex tourism and exploitation of child labour (Slovenia);**

139.226 **Revise the Children's Act in order to set the minimum age for marriage to 18 years for both boys and girls (Belgium);**

139.227 **Take all necessary measures to end sexual and gender-based violence, especially by developing adequate gender-sensitive training programmes for law enforcement agencies, the national prosecuting authority and judicial officers and by adopting specific legislation addressing the practice of *ukuthwala* (child marriage) (Germany);**

[1] The recommendation as read during the interactive dialogue: "Allocate sufficient resources to implement its youth policy to ensure meaningful use of youth delegates, inclusion of youth in rural areas and strengthen political impartiality and independence of youth representation (Denmark)".

139.228 **Develop specific measures to educate society and enforce existing legislation addressing the practice of *ukuthwala* and other customary practices leading to forced and child marriages (Hungary);**

139.229 **Continue efforts to combat sexual violence against children (Algeria);**

139.230 **Steps up its efforts to prevent harmful practices carried out on children (Timor-Leste);**

139.231 **Amend the Children's Act with the aim of prohibiting virginity tests on children, irrespective of their age (Zambia);**

139.232 **Make additional efforts to combat child labour and guarantee children the enjoyment of the rights that are guaranteed to them in accordance with international standards (Iraq);**

139.233 **Adopt legislation to prohibit all forms of corporal punishment in the private sphere (Israel);**

139.234 **Expedite the adoption of legislation to prohibit all forms of corporal punishment in the home, including "reasonable chastisement", and ensure that those who perpetrate corporal punishment are held accountable (Liechtenstein);**

139.235 **Ensure registration of all children at birth as well as delayed registration of children who have not been registered at birth (Czechia);**

139.236 **Further engage in facilitating administrative procedures for birth registration, especially for disadvantaged children coming from rural and poor areas (Serbia);**

139.237 **Review and amend all legislation and regulations relevant to birth registration and nationality to ensure their full conformity with the Convention on the Rights of the Child (Albania);**

139.238 **Review and amend all legislation and regulations relevant to birth registration and nationality to ensure their full conformity with the Convention on the Rights of the Child (Liechtenstein);**

139.239 **Review its relevant legislation and regulations on birth registration to ensure their full conformity with the Convention on the Rights of the Child (Portugal);**

139.240 **Ensure birth registration of all children born on South African territory, regardless of the immigration status or nationality of the parents (Mexico);**

139.241 **Amend legislation and regulations in order to ensure universal birth registration for children born in its territory (Turkey);**

139.242 **Continue ensuring that unaccompanied migrant children entering South Africa are kept in child and youth care centres and treated as children in need of care and protection (Holy See);**

139.243 **Refrain from depriving citizenship through the blocking of identity documents and establish a dedicated procedure to identify stateless persons (Hungary).**

140. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

Composition of the delegation

The delegation of South Africa was headed by Mr. John Jeffery, Deputy Minister, of Justice and Constitutional Development and composed of the following members:

- Mr. L Landers, Deputy Minister, Department of International Relations and Cooperation;
- H.E. Ms. Nozipho Mxakato-Diseko, Ambassador/ Permanent Representative, Permanent Mission of South Africa to the UN Geneva;
- Ms. Ncumisa Notutela, Deputy Permanent Representative, Permanent Mission of South Africa to the UN in Geneva;
- Ms. Tsholofelo Tsheole, Counsellor: Political South African Permanent Mission Geneva;
- Dr. Clinton Swemmer, Counsellor: Political South African Permanent Mission Geneva;
- Ms. Yatasha Naidoo, First Secretary, Political South African Permanent Mission Geneva;
- Ms. Sibongile Rubushe, Counsellor Political;
- Ms. Mpho Somhlaba, First Secretary Political;
- Dr. Lindiwe Makubalo, Minister: Health;
- Mr. Kgomotso Letoaba, Minister: Labour;
- Mr. Zahir Amien, Director/ Head of Office Department of International Relations and Cooperation South Africa;
- Adv. E. Picara, Chief Director: International Legal Relations, South Africa;
- Adv. Ooshara Sewpaul, Deputy Chief State Law Adviser Department of Justice and Constitutional Development, South Africa;
- Ms. C Noah, Deputy director (Mutilateral) Department of Arts & Culture, South Africa;
- Ms. L Graham, Chief Director, International Relations Department of Arts & Culture, South Africa;
- Mr. R Bester, Chief Director, International Relations Department of Cooperative Governance & Traditional Affairs, South Africa.

United Nations A/HRC/36/16/Add.1

General Assembly

Distr.: General
19 September 2017

Original: English

Human Rights Council
Thirty-sixth session
11-29 September 2017
Agenda item 6
Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

South Africa

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document was not edited before being sent to the United Nations translation services.

GE.17-16399(E)
1716399

Please recycle

1. The Republic of South Africa is deeply committed to the Universal Periodic Review. It is a unique process which involves a review of the human rights records of the Republic of South Africa and allows for a sharing of best human rights practices around the globe and promotes continual improvement of human rights, not only in South Africa, but in all member States.

2. South Africa has considered the recommendations contained in the Report of the Working Group on the Universal Periodic Review of South Africa presented at the 3rd Cycle of the Universal Periodic Review and herewith provides its response to the recommendations.

3. The recommendations and South Africa's responses thereto are thematically arranged and are either fully 'Accepted' or 'Noted'.

4. 'Noted' recommendations are those which South Africa is in the process of considering and cannot commit to at this stage.

Acceptance of International Norms, Facilitation of Special Rapporteur Visits, Human Rights Reporting and Selection of Candidates for UN Treaty Bodies

5. Recommendations accepted:

139.7; 139.8; 139.9; 139.10; 139.11; 139.12; 139.13; 139.14; 139.15; 139.17; 139.18; 139.30; 139.31; 139.33.

6. Recommendations noted:

139.1; 139.2; 139.3; 139.4; 139.5; 139.6; 139.16; 139.19; 139.20; 139.21; 139.22; 139.23; 139.24; 139.25; 139.26; 139.27; 139.28; 139.29; 139.32; 139.34.

Strengthening of the South African Human Rights Commission and other Human Rights Monitoring Mechanism, Context, Statistics, Budget and Cooperation with Civil Society

7. Recommendations accepted:

139.36; 139.38; 139.37.

8. Recommendations noted:

139.35; 139.39; 139.40.

Hate Crime, Hate Speech Bill, National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance, Non-Discrimination

9. Recommendations accepted:

139.42; 139.43; 139.44; 139.45; 139.46; 139.47; 139.48; 139.49; 139.50; 139.51; 139.52; 139.53; 139.54; 139.55; 139.56; 139.57; 139.58; 139.59; 139.60; 139.61; 139.62; 139.63; 139.64; 139.65; 139.66; 139.67; 139.68; 139.69; 139.70; 139.71; 139.73; 139.74; 139.75; 139.76; 139.77; 139.78; 139.79; 139.80; 139.81; 139.82; 139.83; 139.84; 139.85; 139.86; 139.87; 139.88; 139.89.

10. Recommendations noted:

139.72; 139.90.

Social Cohesion, Nation Building and Promotion of the National Development Plan

11. Recommendations accepted:

139.134; 139.135; 139.136.

Protection of vulnerable groups falling within the following: Albinism, LGBTI

12. Recommendations accepted

139.91; 139.92; 139.93; 139.94; 139.95; 139.96; 139.97; 139.98; 139.99; 139.100; 139.101; 139.102.

Discrimination and Violence against Women

13. Recommendations accepted

139.189; 139.190; 139.191; 139.192; 139.193; 139.196; 139.197; 139.198; 139.199; 139.200; 139.202; 139.203; 139.204; 139.205; 139.206; 139.208; 139.209; 139.210; 139.211; 139.212; 139.213; 139.214; 139.215; 139.216; 139.217; 139.218; 139.219.

14. Recommendations noted

139.193; 139.194; 139.200; 139.207.

Indigenous Peoples

15. Recommendations accepted

139.103.

Human Rights Standards, Protection of the Environment

16. Recommendations noted

139.104; 139.105; 139.106.

Law enforcement, Crime, Corruption, Human Rights Education and Training and Conditions of Detention

17. Recommendations accepted

139.107; 139.108; 139.111; 139.112; 139.113; 139.114; 139.227.

18. Recommendations noted

139.109; 139.110.

Good Governance and the Rule of Law

19. Recommendations accepted

139.117; 139.131.

Constitutional and Legislative Framework

20. Recommendations accepted

139.116; 139.221; 139.222.

21. Recommendations noted

139.153; 139.223; 139.224; 139.225; 139.226; 139.243.

Administration of Justice and Fair Trial

22. Recommendations accepted

139.115.

Prohibition of Trafficking

23. Recommendations accepted:

139.124; 139.125; 139.126; 139.127; 139.128; 139.129.

Liberty and Security - General

24. Recommendations accepted:

139.121.

25. Recommendations noted:

139.122; 139.123.

Freedom of Expression and Opinion

26. Recommendations accepted:

139.118.

27. Recommendations noted:

139.119; 139.120.

Right to Health, Work and Education

28. Recommendations accepted:

139.159; 139.160; 139.161; 139.162; 139.163; 139.164; 139.165; 139.166; 139.167; 139.168; 139.169; 139.170; 139.171; 139.172; 139.173; 139.174; 139.175; 139.176; 139.177; 139.179; 139.180; 139.181; 139.182; 139.183; 139.184; 139.185; 139.186; 139.187; 139.188; 139.133.

29. Recommendations noted:

139.178.

Right to an Adequate Standard of Living, Right to Food, Drinking Water and Sanitation

30. Recommendations accepted:

139.146; 139.154; 139.155; 139.156; 139.157; 139.158.

Children: Protection against Exploitation

31. Recommendations accepted:

139.228; 139.229; 139.230; 139.231; 139.232; 139.235; 139.236.

32. Recommendations noted:

139.233; 139.234; 139.237; 139.238; 139.239; 139.240; 139.241; 139.242.

Eradication of Poverty, Inequality, Unemployment, and Economic Development and Empowerment, Social Protection

33. Recommendations accepted:

139.130; 139.132; 139.137; 139.138; 139.140; 139.141; 139.142; 139.143; 139.144; 139.145; 139.147; 139.148; 139.149; 139.150, 139.151.

34. Recommendations noted:

139.152; 139.41.

Youth Development, Economic Empowerment and Reforms

35. Recommendations accepted:

139.139; 139.149.

36. Recommendations noted:

139.220.

Conclusion

37. **South Africa remains committed to its international human rights obligations as well as the promotion and the protection of fundamental freedoms and human rights. South Africa remains committed to building a better Africa and a better world.**

United Nations A/HRC/36/17

General Assembly

Distr.: General
25 July 2017

Original: English

Human Rights Council
Thirty-sixth session
11-29 September 2017
Agenda item 1
Organizational and procedural matters

Election of members of the Human Rights Council Advisory Committee*

Note by the Secretary-General

1. In accordance with Human Rights Council resolution 5/1, the Human Rights Council Advisory Committee, composed of 18 experts serving in their personal capacity and nominated by States Members of the United Nations following States' consultations with national human rights institutions and civil society organizations, are to be elected by the Council by secret ballot from the list of candidates whose names have been submitted in accordance with the agreed requirements.

2. The geographic distribution of members is as follows:

(a) Five from African States;

(b) Five from Asia-Pacific States;

(c) Two from4 Eastern European States;

(d) Three from Latin American and Caribbean States;

(e) Three from Western European and other States.

3. At its sixth session, the Human Rights Council adopted decision 6/102 on follow-up to Council resolution 5/1, in which it described the technical and objective requirements for the submission of candidatures, which include:

(a) Recognized competence and experience in the field of human rights;

(b) High moral standing;

(c) Independence and impartiality.

4. When selecting their candidates, States are requested to apply the following guidelines on technical and objective requirements for the submission of their candidates:

(a) Competence and experience.

(i) Academic studies in the field of human rights or related areas, and/or experience with and exposure to leadership roles in the human rights field at the national, regional or international levels;

* The annex to the present document is circulated as received, in the language of submission only.

(ii) Substantial experience (at least five years) and personal contributions in the field of human rights;

(iii) Knowledge of the United Nations system and of institutional mandates and policies related to the work in the area of human rights, as well as knowledge of international human rights instruments, norms and disciplines; familiarity with different legal systems and civilizations will be preferable;

(iv) Proficiency in at least one official language of the United Nations;

(v) Availability of time to fulfil the work of the Advisory Committee in an effective manner, both to attend its sessions and to carry out mandated activities between sessions;

(b) High moral standing;

(c) Independence and impartiality: individuals holding decision-making positions in Government or any other organization or entity which might give rise to a conflict of interest with responsibilities inherent to the mandate will be excluded; elected members of the Advisory Committee will act in their personal capacity;

(d) Other considerations: the principle of non-accumulation of human rights functions at the same time is to be respected.

5. In electing members of the Advisory Committee, the Human Rights Council should give due consideration to gender balance and appropriate representation of different civilizations and legal systems.

6. At its seventh session, the Human Rights Council conducted the first elections of the 18 members of the Advisory Committee. Four members were elected for a one-year term, seven for a two-year term and seven for a three-year term.

7. At its thirty-sixth session, the Human Rights Council will elect, in accordance with its annual programme of work, Advisory Committee members for the seven vacant seats. Of the seven vacancies, there are two vacancies for African States, two for Asia-Pacific States, one for Eastern European States, one for Latin American and Caribbean States and one for Western European and other States.

8. Pursuant to paragraph 71 of Human Rights Council resolution 5/1, the list of candidates is to be closed two months prior to the election date, and the secretariat is to make available the list of candidates and relevant information to Member States and the public at least one month prior to the election.

9. On 7 April 2017, the secretariat of the Human Rights Council addressed a note verbale to the regional coordinators concerned to encourage proposals of candidates, informing them that the deadline for the submission of nominations was 7 June 2017, which was later extended.[1]

10. Further to this, the secretariat received nominations of seven candidates for the elections to membership of the Advisory Committee from the Governments of Belgium, India, Mauritius, Peru, the Philippines, the Republic of Korea and Romania.

11. The nominations received are listed below; biographical data relating to the candidates are contained in the annex.

African States

Nominating State	*Expert nominated*
Mauritius	Dheerujlall Baramlall Seetulsingh

[1] The present report includes all candidatures received by 11 July 2017. Any additional candidatures will be included in an addendum.

Asia-Pacific States

Nominating State	*Expert nominated*
India	Ajai Malhotra
Philippines	Virginia Dandan
Republic of Korea	Changrok Soh

Eastern European States

Nominating State	*Expert nominated*
Romania	Ion Diaconu

Latin American and Caribbean States

Nominating State	*Expert nominated*
Peru	Elizabeth S. Salmón

Western European and other States

Nominating State	*Expert nominated*
Belgium	Ludovic Hennebel

Annex*

Ludovic Hennebel (Belgium)

Full Professor of Law Aix-en-Provence Law School (France)

Director of the Institute for International Humanitarian Studies

NOHA (Network of Humanitarian Assistance) Director

Director of the Legal Clinic on Human Rights Aix-Marseille University

Chair of Excellence A*MIDEX in human rights law

Member of the Alumni College of the Belgian Royal Academy

Languages: French/English/Spanish

Education

- **PhD in international human rights law**, under the dir. of B. Frydman and A.A. Cançado Trindade, Université Libre de Bruxelles at the Law School, Brussels, Belgium, 2005
- **Diploma in international human rights law (top of the class)**, René Cassin Institute, Strasbourg, France, 2001
- **Development cooperation Certificate, Training on International Cooperation and North-South Relations**, Belgian Development Agency, Brussels, 1999
- **LL.M in human rights**, University of Leicester at the Law School, Dissertation on Humanitarian Assistance under the dir. of Malcolm Shaw, Leicester, United Kingdom, 1999
- **M.A. & B.A. in law**, Université Libre de Bruxelles at the Law School, Brussels, Belgium, 1998

Faculty Appointments/Professional and Academic Experience

Academic Career: Visiting scholar at New York University, at Harvard Law School, and Visiting Prof. at the Law School of Sciences Po Paris, Prof. dr. Hennebel has developed a solid network of academic and institutional partners in his field of research with some of the best research centers in Europe and in the United States. Moreover, he is trained to work in complex and international environment and to negotiate long-term partnerships. He has gained field experience in human rights and rule of law program including in Africa and in Latin America.

- **Aix-Marseille University** (AMU): Full Professor at the Law School (since 2016 Sept.); Chair of excellence in International Human Rights Law and Global Law, Law School, A*MIDEX, member of the CERIC, Aix-en-Provence, 2015 — in progress
- **Université Libre de Bruxelles** at the Law School & Fund for Scientific Research FNRS (Belgian research agency): Research Prof. of Law (Tenure), member of the Perelman Center for Legal Philosophy, Brussels, 2009 — in progress / Research Fellow, Law School, Brussels, 2000-2007.
- **Harvard University** Law School: Visiting Fellow (with G. Neuman), Human Rights Program, Law School, Cambridge MA, 2012-13, 2011.

* Curricula vitae are issued without formal editing.

- **Sciences Po Paris**: Visiting Prof. at the Law School, Business and Human Rights / Strategic litigation / International Human Rights Law, 2011, 2012 / Lecturer 2009-2012.
- **New York University** (NYU): Visiting Fellow (with Ph. Alston), Global Hauser Program, Law School, New York, 2007-2008
- **Inter-American Court of Human Rights**: Visiting Fellow (with A.A. Cançado Trindade), San José, Costa Rica, 2003-2004

Faculty Director/Management

Management: His managerial tasks involved leading research functions, financial management and human resources management, organization of international scientific events including conferences, colloquium and seminars on international human rights law and international law. The current managerial responsibilities include:

- **Director of the Institute of International Humanitarian Studies**, Aix-en-Provence Law School, since 2016. [www.aixhumanitaire.org]
- **Director of the LL.M in Humanitarian Law and Action**, Aix-en-Provence Law School, since 2016 [www.aixhumanitaire.org]
- **NOHA (Network of Humanitarian Assistance) Director**, since 2016 [www.aixhumanitaire.org]
- **Director of the Legal Clinic on International Human Rights Law Aix Global Justice**, Aix-en-Provence Law School, since 2015 [www.aixglobaljustice.org]

Scholarship and Teaching

Focus: International Law — International human rights law — International Criminal Law — International Humanitarian Law — International Human Rights Litigation — European System of Human Rights — Inter-American System of Human Rights — African system of Human and People's rights — Universal (United Nations) System of Human Rights — Transnational Law — Strategic Litigation — International Justice — Terrorism and Human Rights — Business and Human Rights — Law and Globalization — Global Law.

Teaching: Experienced law professor, Hennebel is regularly invited to teach in Master programs of French Universities and in other academic programs abroad. He is the founder and the director of the Doctoral Clinic in international human rights law at Aix-Marseille University.

Scholarship: International legal scholar in the field of international law, international human rights law, global law, international justice, and governance after 17 years dedicated to academic work in highly regarded research centers in Europe and in the US.

Conferences/Speeches: Regular conferences and invitations as a keynote speaker in international conferences on human rights, international law and global justice issues, which include speeches and participation to conferences or seminars under invitation in the following institutions: *Harvard University; New York University; Laval University (Canada); Vienna University; Freiburg University; Max Planck Institute; St Andrews University; Hong Kong University; Renmin University (China); Oslo University; Stockholm University; Geneva University; Saint-Cyr Coetquidan School; Université Mohammed V de Rabat, Université d'Abomey Calavi (Bénin), French Society of International Law; European Society of International Law; Indian Society of International Law; Institut des hautes études sur la justice (Paris); Institute of International Human Rights Law René Cassin; Caen University; Toulouse University; Paris Ouest Nanterre University; Aix-Marseille University; Sciences-Po Paris; United Nations; European Parliament; European Council; European Commission; United Nations; French Embassy in Lima, Port-au-Prince and New Delhi.*

Project Leadership

Leadership: Project leader and director of several research international programs since 2000 in international human rights law, governance and global justice. These programs were funded by donors such as the European Union or National Governments and conducted in partnership with foreign top-level universities and international organizations such as the United Nations.

- **Summer School** on The Practice of International Human Rights Law, Aix-en-Provence, since 2016.
- Chair of Excellence in **International Human Rights Law** at Aix-en-Provence Law School, 300.000 €, 2015 — in progress.
- Project Leader of the Bilateral Research Program on the **Criminalization of International Human Rights Law**, Université Libre de Bruxelles / UQAM, 10.000 €, 2014-2015.
- Project Leader of the Global Research Program on Global Law, the New Law of Nations, **Transnational Law & Litigation**, Global Justice, Center Perelman for Legal Philosophy, Université Libre de Bruxelles & F.N.R.S. — Various sources of funding. Academic research, Global Fellow, Budget: 400,000 €, 2006 — in progress
- Project Leader of the European Research Program, 7th Framework-Program, ATLAS — on **International Humanitarian Law**, with Paris 1 University, Brussels University, Collège de France, British Institute of International and Comparative Law, Jaume 1 University, Bucarest University, Magna Carta Institute, Project Leader for Brussels University and Magna Carta Institute, Global Budget: 1,000,0000 €, 2008-2012
- Project Leader of the European Research Program, European Commission (DC Office) — Transatlantic Collaboration, **The Global Challenges of International Terrorism and the Rule of Law: Reflections and Discussions on the EU-US relationship in the fight against terrorism**, with Paris 1 University, New York University, Vienna University, UNODC, Project Leader, Global Budget: 200,000 €, 2008-2009
- Project Leader of the European Research Program, European Commission (Better regulation) & Brussels Research Funding, Social Responsibility — **Business & Human Rights**, Brussels University, Project Leader, Global Budget: 10, 000 €, 150,000 €, 2005-2007
- Project Leader of the Global Training Program for Judges, Swedish Government and ILAC, Ministry of Justice of Algeria, with UNODC, Training "**Terrorism and the rule of Law**" for Algerian Judges, Project Leader, Global Budget: 300,000 €, 2007-2008
- Project Leader of the Global Training Program for Judges, Swedish Government and ILAC, Ministry of Justice of Morocco, with UNODC, Training "**Terrorism and the rule of Law**" for Moroccan Judges, Project Leader, Global Budget: 200,000 €, 2006-2007

Expertise [Selection]

Expertise: for international organizations, national governments and NGOs in the field of international law, human rights, justice and the rule of law. He is a judicial capacity and institution building expert with substantial experience in training judges, prosecutors, and lawyers, and with substantial experience in strategic litigation.

Scientific assessments [Selection]

- Expertise and evaluation for the **National Research Agency** (2013), JCJC SHS 1 program (in law).
- Expertise and evaluation (for doctoral, post-doc, and permanent positions) for the **National Fund for Scientific Research** (Belgium, since 2010) and member of the

Fund's Accompanying Committee in charge of the implementation of the reform of the FNRS and the composition of the scientific commissions (in 2010).

- Expertise and evaluation for the **Austrian Scientific Fund** (Fonds zur Förderung der wissenschaftlichen Forschung), Law Research Program, 2007.
- Expertise and evaluation for the **Canadian Research Chairs**, International Law Research Program, 2012, 2013.

Legal expertise [Selection]

- **Legal advice and geopolitical expertise in the context of asylum applications:** scientific leadership on geopolitical and legal reports in support of asylum applications, mandated by a Center for the reception of asylum seekers, 2016-in progress, Marseille.
- **Legal advice and litigation strategy — cases concerning massive violations of human rights:** development of international strategic litigation in the context of complex cases relating to serious human rights violations, mandated by NGOs, associations and lawyers, 2016-ongoing, Brussels, Paris.
- **Legal and strategic advice — Rights of the Roma:** legal advice to support the defense of the rights and freedoms of Roma in Brazil, mandated by the Instituto de Desenvolvimento e Direitos Humanos — IDDH, 2015, Sao Paulo.
- **Training of judges and lawyers in Haiti, Senegal and Lebanon:** Participation as a trainer at the first session of teaching of international human rights law in Port-au-Prince, Haiti, on the initiative of the René Cassin Institute and with the support of the embassy of France, 2012, Port-au-Prince; Participation as a trainer at the fifth teaching session in Dakar, Senegal, 2013, Dakar; Training session in Beirut, Lebanon, 2015.
- **Expertise on decentralization in Tunisia:** analysis of comparative law and development of a strategy in partnership with civil society, NGO Democracy Initiative, 2014, Tunis.
- **Expert on the Fight against terrorism:** Team leader of a long term research project (2 years) on The Fight against terrorism: A transatlantic perspective for the European Commission DG RELEX Washington DC, in partnership with New York University, Vienna University, Paris 1 University and UNODC, 2009-2012, Brussels, New York.
- **Expert on Armed conflicts, peacekeeping and transitional Justice:** Team co-leader of a long term research project (4 years) on a cooperative project regarding Armed Conflicts, Peacekeeping, Transitional Justice: Law as Solution for the European Commission, in partnership with inter alia Brussels University, Paris 1 University, the Collège de France, the British Institute of International and Comparative Law, Bucharest University, Report and recommendations addressed to the EU on international humanitarian and human rights law in situations of Armed Conflict for the European Commission, 2009-2012, Brussels.
- **Recommendations in international humanitarian law:** Co-author of the report containing recommendations to the European Union on international humanitarian law and international human rights law commissioned by the European Commission as part of a research program, 2010, Brussels.
- **Training on "United States and Human Rights" training:** Expert for the European Institute of Public Administration at the European Commission DG RELEX, Training on the United States' human rights policy, 2010, Brussels.
- **Expert for training on terrorism and human rights for UNODC**, UNODC, 2009, Vienna.
- **Training on Human Rights in Brazil:** Training program "The UN Human Rights System", Audience: NGOs' representatives and public prosecutors, Acting as: Legal

expert and trainer, Organization: Institute for Human Rights and Development, 2009, Sao Paulo.

- **Report on economic sanctions and international human rights law**, study in the context of a seminar on "Burma and human rights" at the initiative of the International Federation of Human Rights, 2009, Bangkok.
- **Training of Judges and Lawyers on the Fight against terrorism and the respect of human rights in Algiers and Rabat:** Team Leader and Program Director for the Training program "Judging terrorism and Human Rights" (100 hours), Audience: 60 Algerian Judges and lawyers, in partnership with ILAC, Swedish Ministry of foreign affairs funding in partnership with the Algerian Ministry of Justice and UNODC, 2008, Algiers; Team Leader and Program Director for the Training program "Judging terrorism and Human Rights" (80 hours), Audience: 35 Moroccan Judges, in partnership with ILAC, Swedish Ministry of foreign affairs funding in partnership with the Moroccan Ministry of Justice and UNODC, 2006, Rabat.
- **Expert on Corporate social responsibility, Business and Human rights:** Report on Self-Regulation and Co-Regulation of Corporate Social Responsibility in Europe, for the European Commission, Directorate-General Enterprise and Industry, 2007, Brussels; Report and recommendations on corporate social responsibility for the Belgian Ministry of Economy, Region Brussels-Capital, 2007, Brussels
- **Training for Belgian Magistrates**, Theory of Legal Argumentation, 2005, Brussels
- **Expertise on Business and Human Rights:** Field and research investigation "Transnational Corporations, Human Rights and Corporate Social Responsibility in Hungary" — Report, Acting as: Legal expert — Co-author, Organization: International Federation of Human Rights, 2005, Budapest

Awards/Academic Distinctions

- **Harvard Law School**: appointed as Visiting Fellow for the academic year 2012-2013 at the Human Rights Program of Harvard Law School
- **Royal Belgian Academy**: appointed member of the Alumni College of the Royal Academy of Sciences, Letters and Arts since 2010
- **Belgian Research Agency** (Fund for Scientific Research): appointed as permanent Research Professor in Law (tenure contract) since 2009
- **New York University Law School**: appointed as Visiting Global Fellow for the academic year 2007-2008 at the Hauser Global Program of New York University Law School
- **Hoover Fellowship** from the Belgian American Educational Foundation, 30 000 $, New York, 2007
- **Brussels University**: Academic award: for the monograph "La Convention américaine des droits de l'homme", Law School, University of Brussels, 2008; Prize Academic International Appeal, 20 000 €, Brussels University, 2007.

Languages skills

- **French**: Native language
- **English**: Fluent (4 years spent in English speaking countries — Publications in English)
- **Spanish**: Good (1 year spent in Latin America — occasional working language)

Main Publications

Books — Monographs

Publications: He has published 12 books, as sole author or co-editor, and more than 50 book chapters and articles in peer-reviewed journals, in French, in English and in Spanish.

including for Oxford University Press, Cambridge University Press, Dalloz, Pedone, Bruylant. Additionally, he is the Director of the book Series Jus Gentium at Bruylant Publishers.

1. L. Hennebel, *Commentary of the American Convention on Human Rights*, Oxford University Press, New York, OUP, 2016, 850 pages (editorial agreement signed)

2. **L. Hennebel, *Traité de droit international des droits de l'homme*, with H. Tigroudja, Pedone, Paris, 2016, 1706 pages**.

3. L. Hennebel, *La Convention américaine des droits de l'homme: étendue des droits et libertés et mécanismes de protection*, Collection Publications de l'Institut International des Droits de l'Homme René Cassin, Foreword by Antonio A. Cançado Trindade, Brussels, Bruylant, 2007, 732 pages.

4. L. Hennebel, *La jurisprudence du Comité des droits de l'homme des Nations Unies*, Collection Droit et Justice, Preface by Manfred Nowak, Brussels, Bruylant, 2007, 582 pages

Books — Collection of Essays

1. *Humanisme et droit*, Pedone, Paris, 2013, Edited Collection Book, Co-editor with H. Tigroudja

2. *Balancing Liberty and Security: The Human Rights Pendulum*, Wolf Legal Publishers, Nijmegen, 2012, Edited Collection Book, Co-editor with H. Tigroudja

3. *Genocide Denials and the Law*, Oxford University Press, New York, 2011, Edited Collection Book, Co-editor with Th. Hochmann

4. *Le particularisme interaméricain des droits de l'homme*, Pedone, Paris, 2009, 416 pages, Edited Collection Book, Co-editor with H. Tigroudja

5. *Exceptionnalisme américain et droits de l'homme*, Dalloz, Paris, 2009, 366 pages, Edited Collection Book, Co-editor with A. Van Waeyenberghe

6. *Juger le terrorisme dans l'Etat de droit*, Bruylant, Brussels, 2009, 542 pages, Edited Collection Book, Co-editor with D. Vandermeersch

7. *Juger les droits de l'homme: Europe et Etats-Unis face à face*, Collection Penser le Droit, Bruylant, Brussels, 2008, Edited Collection Book, Co-editor with G. Haarscher et al.

8. *Responsabilités des entreprises et corégulation*, Collection Penser le Droit, Bruylant, Brussels, 2007, Edited Collection Book, Co-editor with Th. Berns et al.

9. *Classer les droits de l'homme*, Collection Penser le Droit, Bruylant, Brussels, 2004, 396 pages, Edited Collection Book, Co-editor with E. Bribosia

Chapters in Books/Selected Articles published in International Journals

"The Human Rights Committee: A Critical Appraisal" in Ph. Alston and E. Mégret (Dir), The United Nations and Human Rights, Oxford University Press, New York, 2018, 63 pages

«L'influence de la jurisprudence de la Cour européenne des droits de l'homme en droit interaméricain », in O. Delas (Dir.), Intégration européenne et droits de la personne, Cowansville: Yvon Blais, 2018, 12 pages.

«Libres propos autour du projet universaliste du Comité des droits de l'homme des Nations Unies», in S. Touzé et al. (Dir.), Mélanges en hommage à Jean-François Flauss, Pedone, Paris, 2014, 16 pages

«Le droit administratif global» in B. Frydman et al. (Dir.), Les théories du droit global, Editions de Sciences-Po, 2018, 22 pages

«Les défis de la démocratie globale », in R. Medhi, La méditerranée, espace démocratique? », Actes des 5e assises de l'Ecole Doctorale des Juristes Méditerranéens, Marseille: Presse universitaires d'Aix-Marseille, 2015, 10 pages

«La Convention américaine des droits de l'homme» in M. Hottelier et al. (Dir.), Manuel d'introduction aux droits de l'homme, Genève, 2013, 20 pages

«Le système interaméricain des droits de l'homme» in M. Hottelier et al. (Dir.), Manuel d'introduction aux droits de l'homme, Genève, 2013, 18 pages

«Du constitutionnalisme global au contentieux transnational», in Internationalisation des constitutions, Cahiers de l'Institut Louis Favoreu (Aix-Marseille Université), 2013, 12 pages

«La Cour internationale de Justice face au droit international des droits de l'homme», in Mélanges Marc Bossuyt, Intersentia, 2013, 18 pages

«Aspects de droit international dans la pratique des Comités établis par les Nations Unies dans le domaine des droits de l'homme», avec Y. Kerbrat, Annuaire français de droit international, 2013, 22 pages

«Translating Unocal: The Liability of Transnational Corporations for Human Rights Violations», avec B. Frydman, in M. Kumar Sinha (Dir.), Business and Human Rights, Sage, New Delhi, 2013, 23 pages

"Le complexe du cannibale: réflexions sur la dignité de l'ennemi du genre humain", in L. Hennebel and H. Tigroudja (Dir.), Humanisme et droit, Pedone, Paris, 2012

"Réflexions sur le commerce transnational entre juges", with A. Van Waeyenberge, in Hachez et al. (dir.) Les sources du droit revisitées, 2012, 18 pages

"Droit administratif global: entre scepticisme et idéalisme" in C. Bories (Dir), Le droit administratif global en question, Pedone, Paris, 2012, 12 pages

"Conjugalités et droit international des droits de l'homme", in A.-C. Van Gysel (Dir.), Conjugalités et discriminations, Anthemis, 2012, 17 pages

«Public Strategies of Co-Regulation in United States, Europe and China », avec B. Frydman and G. Lewkowicz, in Governance, Regulations and Powers of the Internet, Cambridge University Press, 2012, 20 pages

"Courts, Terrorism and Human Rights", in L. Hennebel and H. Tigroudja (Dir.), Balancing Liberty and Security: The Human Rights Pendulum, Wolf Legal Publishers, 2012, 67 pages

"Les droits de l'homme dans les théories du droit global", in J-Y. Chérot et B. Frydman (Dir.), La science du droit et la globalisation, Bruylant, Bruxelles, 2012, 30 pages.

"Questioning the Criminalization of Denials", with Th. Hochmann in L. Hennebel and Th. Hochmann (Dir.), Genocide Denials and the Law, Oxford University Press, New York, 2011, 20 pages

"Classification et hiérarchie des droits de l'homme", Annuaire international de justice constitutionnelle, 2011, 30 pages

"Chronique de la jurisprudence du Comité des droits de l'homme 2007-10", Revue trimestrielle des droits de l'homme, 2011, 51 pages

"Classer les droits fondamentaux" in M. Verdussen & Bombled (Dir), Les droits constitutionnels en Belgique — Les enseignements jurisprudentiels de la Cour constitutionnelle, du Conseil d'Etat et de la Cour de cassation, Bruylant, Brussels, 2011, 20 pages.

"L'hostis humani generi: entre proscription et protection", co-authored with H. Tigroudja in Proscription et droit, Bruylant, Brussels, 2011, 24 pages.

Le Forum Shopping transnational et l'Alien Tort Statute", in J.-F. Flauss (Dir.), Le forum shopping en droit international des droits de l'homme, Bruylant, Brussels, 2011, 24 pages

"The Inter-American Human Rights Law's particularism", Revue Québécoise de Droit International, 2010, 35 pages

"La Convención Americana de Derechos Humanos y la Protección de los Derechos de los Pueblos Indígenas", Boletín Mexicano de Derecho Comparado, 2010, 20 pages

"Chronique de la jurisprudence de la Cour interaméricaine des droits de l'homme" (with H. Tigroudja), Revue Trimestrielle des Droits de l'Homme, 2010, 30 pages

"Transnational", in A.-J. Arnaud (Dir.), Dictionnaire de la globalisation: Droit, science politique, sciences sociales, André-Jean Arnaud, ed. L.G.D.J., 2010, 8 pages

"La Convention américaine des droits de l'homme à la protection universelle: une filiation assumée" (with H. Tigroudja), Observateur des Nations Unies, 2009, 30 pages

"La contentieux transnational des droits de l'homme: une analyse stratégique" (with B. Frydman), Revue Trimestrielle des Droits de l'Homme, 2009, 45 pages

« La contractualisation des droits de l'homme », co-authored with G. Lewkowicz, in G. Lewkowicz et M. Xifaras (Dirs), Repenser le contrat, Dalloz, Paris, 2009, 30 pages.

« La doctrine mandataire des droits de l'homme aux Etats-Unis », in L. Hennebel et A. Van Waeyenberge (Dirs), L'exceptionnalisme américain des droits de l'homme, Paris, Dalloz, 2009, 80 pages.

« Le droit interaméricain des droits de l'homme du particulier à l'universel », in L. Hennebel et H. Tigroudja (Dirs), Le particularisme interaméricain des droits de l'homme (Ouvrage anniversaire 40 ans après l'adoption de la Convention américaine), Paris, Pédone, 2009, 70 pages.

« Le Juge, le terroriste et l'Etat de droit » L. Hennebel co-authored with Hélène Tigroudja, in L. Hennebel et D. Vandermeersch (Dirs), Juger le terrorisme dans l'Etat de droit, Bruxelles, Bruylant, 2009.

« The Inter-American System of Human Rights: Achievements and Challenges », in F. Gaertner fils et K. de Feyter (Dirs), International Protection of Human Rights: Achievements and Challenges, University of Deusto, 80 pages.

« Le problème de la définition du terroriste » co-authored with Gregory Lewkowicz, in L. Hennebel et D. Vandermeersch (Dirs), Juger le terrorisme dans l'Etat de droit, Bruxelles, Bruylant, 2009.

« A Reference Instrument But Without Binding Force», avec P. Lemmens & al., in V. Koufaud et M. Sakoi (Dir.) «60 Years of the Universal Declaration of Human Rights in Europe», Intersentia, 2009, 12 pages

« Les amici curiae : auteurs de la « convergence » des droits de l'homme », in J. Allard, G. Haarscher, L. Hennebel et G. Lewkowicz, Juger les droits de l'homme : Europe et Etats-Unis face à face, Collection Penser le droit, Brussels, Bruylant, 2008, 46 pages.

"Chronique de la jurisprudence de la Cour interaméricaine des droits de l'homme" (with H. Tigroudja), Revue Trimestrielle des Droits de l'Homme, 2008, 33 pages

"Le rôle des amici curiae devant la Cour européenne des droits de l'homme", Revue trimestrielle des droits de l'homme, 2007, 24 pages

« Les collectivités autochtones en droit international des droits de l'homme », in Le Dialogue des cultures, Collection « Les Cahiers de l'Institut d'Etudes sur la Justice », Brussels, Bruylant, 2007, 86 pages.

« Corégulation et responsabilité sociale des entreprises » co-authored with Gregory Lewkowicz, in Th. Berns et al., Entreprise responsable et corégulation, Brussels, Bruylant, 79 pages.

« L'entreprise, titulaire et garante des droits de l'homme » co-authored with Pierre-François Docquir, in Th. Berns et al., Entreprise responsable et corégulation, Brussels, Bruylant, 2007, 67 pages.

"L'usage des drogues à des fins religieuses devant la Cour Suprême des Etats-Unis", Revue des droits fondamentaux, 2006, 17 pages

"La protection de l'intégrité spirituelle des Indigènes: l'affaire Moiwana", Revue trimestrielle des droits de l'homme, 2006, 24 pages

Le droit des peuples autochtones à disposer d'eux-mêmes, in Th. Berns (Dir), Le droit saisi par le collectif, Brussels, Bruylant, 2005, 21 pages

Classer les droits de l'homme, co-authored with E. Bribosia, in E. Bribosia & L. Hennebel (Dir), Classer les droits de l'homme, Brussels, Bruylant, 2004, 7 pages

Les droits intangibles, in E. Bribosia & L. Hennebel (Dir), Classer les droits de l'homme, Brussels, Bruylant, 2004, 23 pages

"La protection des travailleurs migrants dans le système interaméricain", Revue trimestrielle des droits de l'homme, 2004, 14 pages

"La dépénalisation de l'euthanasie en Belgique", Journal de l'Institut international des droits de l'homme, 2002, 15 pages

"Propriété intellectuelle versus communisme informationnel", Actuel Marx, n°39, La Propriété, P.U.F., 2001, 15 pages

Amici Curiae

- Inter-American Court of Human Rights, I.V. Bolivia, 30 November 2016 [on Medical Consent], with the Aix Global Justice Clinic
- Inter-American Court of Human Rights, Gonzalez Lluy v. Ecuador, September 1, 2015 [case of contaminated blood], with Clinic Aix Global Justice and the Catholic University of Argentina.

Ajai Malhotra (India)

Ajai Malhotra holds an M.A. in Economics from Delhi School of Economics, University of Delhi. He joined the Indian Foreign Service in 1977.

From 1979-1982, he handled India's ties with Kenya and Seychelles at the High Commission of India, Nairobi, also serving as the Focal Point for India to UNEP and UN-HABITAT. From 1982-1985, he was Second/First Secretary at the Embassy of India, Moscow. From 1985-1989, he was First Secretary (Political) at the Permanent Mission of India to the UN, Geneva, handling ILO, WHO, WIPO, and other UN agencies, representing India on the ILO Committee on Freedom of Association and participating in annual meetings of the UN Human Rights Commission.

From 1989-1993, he was initially Deputy Secretary (UN) at the Ministry of External Affairs, New Delhi, handling human rights and international environmental issues and later Director (UN), supervising all multilateral work of the Ministry, except disarmament. This included guiding processes leading to the ratification by India of the UN Convention on the Rights of the Child in 1992 and UN CEDAW in 1993, and the establishment of India's National Human Rights Commission.

He was Counsellor at Embassy of India, Moscow, from 1993-1996, returning to the Ministry of External Affairs as Director/OSD in 1996. As Joint Secretary in that Ministry from 1997-1999, he guided India's relations with the Russian Federation and Central and East European countries. From 1999-2003, he was Minister, Embassy of India, Washington DC, also serving from 2002-2003 as Chairman of the International Cotton Advisory Committee, Washington DC. From 2003-2005, he was India's Ambassador to Romania, concurrently accredited to Albania and Moldova.

From 2005-2009, he was Ambassador and Deputy Permanent Representative of India to the UN, New York. He participated in the negotiations leading to the setting up the UN Democracy Fund, the UN Peacebuilding Commission and the UN Human Rights Council. He was India's Ambassador to Kuwait from 2009-2011 and the Russian Federation from 2011-2013, prior to retiring on November 30, 2013, after 37 years of distinguished service.

Ambassador Malhotra has been on the Indian team negotiating issues such as biological diversity, climate change, desertification, education, energy, forestry, health, human rights, human settlements, intellectual property rights, international law, labour rights, ozone depletion, sustainable development, international trade, etc. He has participated in meetings ranging from the 1st UN Conference on New and Renewable Sources of Energy (Nairobi; 1981) and UNEP Session of a Special Character: Ten Years after Stockholm (Nairobi; 1982) to the Diplomatic Conference on the Intellectual Property of Integrated Circuits (Washington DC; 1989) and UN Conference on Environment and Development (Rio de Janeiro; 1992); from the WTO Summit (Seattle; 1999) to numerous meetings of the World Health Assembly, WIPO Assembly, International Labour Conference, and UN Human Rights Commission; from UN General Assembly and ECOSOC sessions (2005-2009) to NAM, G77 and Commonwealth Summits (1989-1993 and 2005-2009); from UNEP Governing Council sessions to UNESCO and UN Democracy Fund meetings.

He has contributed to the evolution of the concept of 'common concern of humankind' and written on issues such as the rights of future generations. In 2004, he was awarded an Honorary Doctorate by Western University of Arad, Romania, in recognition of his work in support of environmental causes and human development.

He is presently Independent Director of the Oil and Natural Gas Corporation Ltd (ONGC), Chairman and Managing Trustee of CHIKITSA and SHIKSHA, which provide free primary health care and education/vocational training respectively to the underprivileged, Chairman of the NAB India Centre for Blind Women & Disability Studies, Chairman of the Nehru Trust for the Indian Collections at the Victoria & Albert Museum, and Distinguished Fellow and Senior Adviser on Climate Change at The Energy and Resources Institute (TERI).

Dheerujlall Baramlall Seetulsingh (Mauritius)

Current Position	Chairperson	National Human Rights Commission, Mauritius since April 2001
Previous Positions	Member and Vice President	Human Rights Committee, Geneva International Covenant on Civil and Political Rights June 2014-End 2016
	Member	Human Rights Council Advisory Committee 2008-2014
	Judge	Supreme Court, Mauritius (1998-2001)
	Solicitor General	Ministry of Justice and Attorney´s General´s Office (1994-1998)
	Chairman	Tax Appeal Tribunal (1984-1994) and Termination of Contracts of Service Board
	Member of Council and Chairman of Staff Committee	University of Mauritius (1984-1994)
	Part Time Chairman	Stock Exchange Commission
	Head of Department of Law	University of Mauritius (1992-1994)
	Visiting Lecturer	University of Aix en Provence, France
	Member	Law Reform Commission
	Member	Council of Legal Education
	From State Counsel to Principal State Counsel	Attorney General´s Office and Office of Director of Public Prosecutions (1974-1984)

Professional experience

Mr. Seetulsingh has produced important reports on the sugar cane industry, relations between millers and planters, the duties of Local Government councillors, the University of Mauritius, Legal studies and functioning of private secondary education.

As a Judge of the Supreme Court he has been responsible for several ground breaking judgments, namely on the electoral system and on human rights.

At the level of the National Human Rights Commission he has reported regularly on human rights issues in the country, especially the rights of suspects and victims, changing the attitude of the police, improving conditions of detention in prisons, respect for environmental laws, compliance with international norms and treaty obligations. He has contributed widely to imparting human rights education to police officers, prisons officers, trade unionists, teachers, students and members of the public at large.

He has assisted in setting up a National Preventive Mechanism to protect the rights of detainees as required by ratification of the Optional Protocol to the Convention against Torture. He is responsible for making recommendations for reviews of criminal convictions by the Supreme Court where there is fresh and compelling evidence.

Mr. Seetulsingh has participated actively in International Workshops and Conferences on issues linked to human rights such as HIV/AIDS, International and Regional Cooperation on Human Rights, the Rights of Persons with Disabilities and the Rights of Older Persons at the level of the African Union, the African Commission on Human and Peoples' Rights.

the Office of the High Commissioner for Human Rights, the Commonwealth and Francophone Associations.

As Chairman of the Stock Exchange Commission he drafted rules to protect shareholders' rights to enable greater participation in the running of public companies and to ensure good governance and democratization of the economy.

As Solicitor-General he was responsible for providing legal advice to Government and for drafting of laws, among others, on human rights and protection of citizens' rights and for reporting to Treaty Bodies. He strengthened the mechanism to improve relations between employers and employees, thereby ensuring the protection of workers' rights.

As a member of the Advisory Committee to the Human Rights Council. Mr. Seetulsingh participated actively in the drafting of the Declaration on Human Rights Education and Training. He contributed to the work on the right to food, on the rights of peasants, on the right to international solidarity, on the right to peace and more specifically on the Principles and Guidelines for the protection of persons affected by Leprosy. He chaired the Working Group on the enhancement of international cooperation in the field of human rights. He was on the Advisory Committee Working Group on Communications which deals with complaints against violations of human rights worldwide.

As a member and Vice-President of the Human Rights Committee set up under the International Covenant on Civil and Political Rights, Mr. Seetulsingh played an active part as Rapporteur or Member in Task Forces examining Country Reports and in Working Groups on Communications dealing with complaints of violations of human rights from individuals and contributed constructively to the jurisprudence of the Human Rights Committee. He participated in the discussions on the General Comment of the Committee dealing with the right to a fair trial and on the new draft General Comment on the right to life.

Elizabeth S. Salmón (Peru)

Studies

1992-1994	Universidad de Sevilla (España) PhD in Public Law Doctorate in Public Law, attached to the Department of Administrative and Public International Law. For the development and dissertation of the Thesis: Implementation of International Humanitarian Law in Latin American legal systems. Mention: Outstanding *cum laude*
1992-1993	Universidad de Sevilla Diploma in European Community Law
1984-1990	Pontificia Universidad Católica del Perú Degree in Law. For the development and dissertation of the Thesis: The lockout. Mention: Outstanding

Work Experience

March 1997-current	Main Professor (fulltime) assigned to the Law Department of the *Pontificia Universidad Católica del Perú (PUCP)*
August 2011-current	Director of the *Instituto de Democracia y Derechos Humanos de la Pontificia Universidad Católica del Perú*
February 2004-current	Director of *Pontificia Universidad Católica del Perú's* Master's Program on Human Rights
Oct. 2008-current	Visiting professor at the *Universidad Externado de Colombia*
July 2013-Current	Visiting lecturer at the Annual Course of the Institute International des Droits de l'Homme of the International Institute of Human Rights
August 2003-July 2011	Academic Director of the *Instituto de Democracia y Derechos Humanos de la Pontificia Universidad Católica del Perú (IDEHPUCP)*
May 2001-July 2003	Main researcher of the *Instituto de Estudios Internacionales de la Pontificia Universidad Católica del Perú*

Published works

Recent Books

March 2017	*Nociones básicas de Derecho Internacional Público. Colección esencial del derecho*. PUCP. Lima, Perú.
December 2016	*La progresiva incorporación de las empresas en la lógica de los derechos humanos*. IDEHPUCP — KAS — Second edition.
January 2016	*Introducción al Derecho Internacional Humanitario*. IDEHPUCP — CICR — Fourth edition
June 2015	*La verdad nos hace libres. Sobre las relaciones entre Filosofía, Derechos Humanos, Religión y universidad. Miguel Giusti, Gustavo Gutiérrez y Elizabeth Salmón (editors), PUCP University Press*
January 2015	*Nueve conceptos claves para entender la Convención sobre los Derechos de las Personas con Discapacidad. (Coeditor). IDEHPUCP*
October 2014	*Curso de Derecho Internacional Público* — University Texts PUCP Law- PUCP University Press
July 2014	*La condena de Alberto Fujimori Fujimori y el Derecho Internacional de los derechos humanos. Un capítulo fundamental de la lucha contra*

	la impunidad en el Perú. Topics of Public Law No. 91. *Universidad Externado de Colombia* — Institute for Constitutional Studies Carlos Restrepo Piedrahita.
2012	*El derecho al debido proceso en la jurisprudencia de la Corte Interamericana de Derechos Humanos*. Second Edition. IDEHPUCP/ GIZ / Universidad del Rosario, Colombia
August 2012	*La consulta previa, libre e informada en el Perú. La inclusión del interés indígena en el mundo de los derechos humanos*. IDEHPUCP / KAS
2011	*Jurisprudencia de la Corte Interamericana de Derechos Humanos*. Collection Texts of Jurisprudence. Universidad del Rosario — University Press
2011	*El crimen de agresión después de Kampala: Soberanía de los estados y lucha contra la impunidad*. Coalition for the International Criminal Court / IDEHPUCP
2009	*Estándares jurisprudenciales de la Corte Interamericana de Derechos Humanos en materia de pueblos indígenas, niños y derechos económicos, sociales y culturales*. GTZ
2007	*El Derecho Internacional Humanitario y su relación con el Derecho interno de los Estados*. Lima, PUCP Faculty of Law — Palestra
2001	*Encuentros y Desencuentros: El Perú y el Derecho Internacional Humanitario*. Lima: International Committee of the Red Cross (ICRC)
2001	*La Corte Penal Internacional y las medidas para su implementación en el Perú* (coordinator). Lima — PUCP — University Press
2000 y 2002	*Las obligaciones internacionales del Perú en materia de Derechos Humanos* (coauthor). Lima — PUCP — University Press

Chapters in books

2016	*Inclusión y gestión de la diversidad: hacia la afirmación de un modelo de inclusión desde el DIDH. Memoria: XII Congreso de Derecho Constitucional: el diseño institucional del Estado democrático / César Aguado Renedo [y otros]. Magdalena Correa Henao y Paula Robledo Silva (editores) — Bogotá: Universidad Externado de Colombia, 2016. pp. 261-289.*
2015	Dignidad y su impacto en el desarrollo de los derechos humanos de las personas con discapacidad, págs.139-161. El respeto a la dignidad de la persona humana. IV Curso Brasileño Interdisciplinario en Derechos Humanos. Coordinadores Antonio Augusto Cancado Trindade y César Barros Leal. Fortaleza, Brasil, 2015
June 2015	Who is a Protected Civilian?" *in: The 1949 Geneva Conventions in Context: A Commentary*, edited by Andrew Clapham, Paola Gaeta, Marco Sassòli, Oxford University Press.
August, 2014	El derecho frente a la crisis del agua en el Perú. *In: Primeras jornadas de derecho de aguas*. Center for Research, Training and Legal Affairs of the Department of Law — Pontificia Universidad Católica del Perú
April, 2014	El buen gobierno en la jurisprudencia del Sistema Interamericano de Derechos Humanos y su relevancia para el Estado Peruano. In: *Buen gobierno y derechos humanos. Nuevas perspectivas en el derecho público para fortalecer la legitimidad democrática de la administración pública en el Perú*. Alberto Castro (editor). Law School of the *Pontificia Universidad Católica del Perú. Abril 2014*. Pages 131-143

March, 2013	The Struggle for Laws of Free, Prior and Informed Consultation in Perú: Lessons and Ambiguities in the Recognition of Indigenous Peoples, published by The Pacific Rim Law & Policy Journal, University of Washington School of Law, vol. 22, N° 2.
2013	The control of conventionality and its impact on the dialogue between national courts and the Inter-American Human Rights. In: *Basic Concepts of Public International Law: Monism and Dualism*, edited by Marko Novakovic.
2012	Introduction au droit international humanitaire. Travaux de l'institut de sciences criminelles et de la Justice de Bordeaux, sous la direction de J.-C. Saint Pau, n° 2, p. 289. 2012
2011	*The Long Road in the Fight against Poverty and its Promising Encounter with Human Rights Human Rights*, part III, chapter nine from the book: Debates: Perspectives from the South. Proceedings of the First Joint Conference of The International Journal on Human Rights (sur) & Partners in Development for Research, Consulting and Training (PID). Cairo, Egypt.
2011	Reflections on international humanitarian law and transitional justice: lessons to be learnt from the Latin American experience. In: *Transitional Justice: handbook for Latin America*, edited by Félix Reátegui. Brasilia: Amnesty Commission of the Ministry of Justice; New York: International Center for Transitional Justice, 2011. Published in Spanish, Portuguese and English.
2011	Entre las promesas de consulta previa y la continuidad de la protesta social: las ambigüedades de la participación política indígena en el Perú". Bolivia, 2011, Konrad Adenauer Stiftung e.V.

Articles

2017	*El Sistema de Ejecución de Decisiones Internacionales sobre Derechos Humanos en el Perú. Universidad Nacional Autónoma de México (Forthcoming)*
	Discapacidad y derechos humanos: o cuando el principio de no discriminación surte sus mejores efectos al servicio de las personas con discapacidad. In: Óscar Parra, Romina Sijniensky y Gabriela Pacheco Arias (eds.) La Lucha por los derechos humanos hoy: Estudios en homenaje a Cecilia Medina Quiroga. Tirant lo Blanch, pp. 517-540
July 2016	*Aproximación Institucional del DIH y el DIDH: tendencias actuales en la jurisprudencia de la Corte Interamericana de Derechos Humanos. In: Revista IUS ET VERITAS N° 52, pp. 330-354.*
2015	Dignidad y su impacto en el desarrollo de los derechos humanos de las personas con discapacidad, págs.139-161. In: *El respeto a la dignidad de la persona humana. IV Curso Brasileño Interdisciplinario en Derechos Humanos*. Antonio Augusto Cançado Trindade y César Barros Leal (Coord.). Fortaleza, Brasil
June 2015	Las comisiones de la verdad y la jurisprudencia de la Corte Interamericana de Derechos Humanos. ¿Hacia la parajudicialización de las comisiones de la verdad? Págs. 291-313. *In: La verdad nos hace libres. Sobre las relaciones entre filosofía, derechos humanos, religión y universidad*. Miguel Giusti, Gustavo Gutiérrez y Elizabeth Salmón (editors). *Pontificia Universidad Católica del Perú — University Press*. Lima (Peru).

2014	The contribution of international law to the respect for human rights and the establishment of a real state of law in Latinamerica. In: *Hendu — Latin American Journal of Human Rights*, vol. 5, N° 2, pp. 3-14.
2014	The struggle for laws of free, prior, and informed consultation in Peru: Lessons and ambiguites in the recognition of indigenous peoples. In: Antônio Augusto Cançado Trindade and César Barros Leal (Coord.), Equality and Non-Discrimination — II Interdisciplinary Brazilian Course on Human Rights, Fortaleza: IBDH/IIDH/SLADI, pp. 119-164.
2014	Institutional Approach between IHL and IHRL: Current Trends in the Jurisprudence of the Inter-American Court of Human Rights, in: *Journal of International Humanitarian Legal Studies*, Volume 5, pp. 152-185.
2014	Rusia y la anexión de Crimea o la crisis de la post Guerra Fria (coauthor) with Pablo Rosales. In: *Derecho PUCP, N° 73, Lima: Pontificia Universidad Católica del Perú* — University Press, pp. 185-204.
2014	Una buena noticia para todos: Perú y Chile ante la Corte Internacional de Justicia. In: *Anuario de Derecho Público*. Santiago de Chile: Universidad Diego Portales, p. 473-497.

Committee Member

2015	Member of the Editorial Board of the Faculty of Law at the Universidad del Rosario, Bogotá, Colombia, April 2015
	Member of the Editorial Board of the Mexican Yearbook of International Law, *Universidad Nacional Autónoma de México*, Institute for Legal Research.
	Member of the International Referees State Law Journal, published by the *Universidad Externado de Colombia*.
	Correspondant du Comité, La Revue des droits de l'homme, Revue du Center des recherches et d'etudes sur les droits fondamentaux de l'Université Paris Ouest Nanterre-La Défense
2010	Member of the Scientific Committee of the magazine Processi Storici and Politiche di Pace, Rome, Italy.
2004-2014	Member of the Editorial Board of the International Review of the Red Cross (ICRC) (Headquarter in Geneva, Switzerland)

Others academic or professional contributions

Peer reviewer of the Commentaries on the 1949 Geneva Conventions. *Commentary on the First Geneva Convention. Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field*. Cambridge University Press, ICRC, 2016.

Languages	English: University of Cambridge.
	French: French Alliance of Lima (complete studies) and Language Center of *Pontificia Universidad Católica del Perú* (French for Law course).

Participation in Conferences and Events

Takes part as speaker in numerous Seminars, Conferences and Events, across the world.

Virginia B. Dandan (Philippines)

Ms. Virginia B. Dandan was appointed by the Human Rights Council as the independent expert on human rights and international solidarity in June 2011. She assumed her functions on 1 August 2011.

Ms. Dandan is an internationally recognized expert in economic, social and cultural rights and served as the Chairperson of the UN Committee on Economic, Social and Cultural Rights for eight years from 1999 to 2007, having been a member of the Committee for twenty years (1990-2010). She retired from teaching in 2009, from the University of the Philippines College of Fine Arts, where she was a faculty member unt.[1] 2009, and Dean from 2001 to 2006.

She has extensive experience in human rights work on the ground, providing technical assistance on UN treaty body reporting, and training courses on economic, social and cultural rights, human rights in development, human rights education and training, the rights of indigenous peoples, cultural rights, gender issues, and sustainable development.

Changrok Soh (Republic of Korea)

Education

1987-1992	Ph.D. in International Relations Fletcher School of Law and Diplomacy, Tufts University
1984-1987	Masters of Arts in Law and Diplomacy Fletcher School of Law and Diplomacy, Tufts University
1980-1984	Bachelor of Arts in Political ScienceDepartment of Int'l Relations, Seoul National University

Work experience

Mar. 1996-Present	*Professor* Korea University Graduate School of International Studies
Apr. 2016-Present	*Director* Korea University Human Rights Center
Oct. 2014-Present	*Member* United Nations Human Rights Council Advisory Committee
Dec. 2010-Present	*President* Human Asia
Jul. 2015-Present	*Member of Central Committee* The National Unification Advisory Council
Mar. 2015-Present	*Outside Director*, Ildong Pharmaceutical
Mar. 2015-Present	*Outside Director*, Paradise Group
Apr. 2014-Present	*Member* The Korea Foundation Committee for Recommendation of Executive Directors
Oct. 2013-Present	*Commissioner*, The Deliberation Committee on Compensation and Support for Abduction Victims, Prime Minister's Office
Jul. 2013-Present	*Commissioner*, National Human Right Commission of Korea The Consultative Council of Human Right Policy Officials
Jul. 2012-Present	*Commissioner*, Ministry of Unification Policy Advisory Committee
Jun. 2010-Present	*Commissioner*, Ministry of Foreign Affairs Self-Evaluation Committee
Jan. 2007-Present	*Director*, The Korean Association for Public Administration Steering Committee
Mar. 2005-Present	*Board Member*, Citizens' Alliance for North Korean Human Rights
Jan. 2002-Present	*Director* The Korean Association of International Studies
Mar. 1996-Present	*Research Associate*, Telco Research Institute (Former International Trade and Business Institute (ITBI)
Apr. 2012-Apr. 2015	*Members of the Board of Trustees* KEPCO International Nuclear Graduate School

Jan. 2012-Jan. 2014	*Commissioner* Korean Social Science Research Council International Affairs Committee
Jul. 2010-Present	*Commissioner* National Human Right Commission of Korea International Human Rights Committee
Aug. 2009-Mar. 2010	*Visiting Professor* Sam Nunn School of International Affairs, Georgia Institute of Technology
Mar. 2009-Jun. 2009	*Visiting Scholar* East-West Center (Honolulu, Hawaii)
Mar. 2008-Feb. 2010	*Research Director* The International Society of Chomsky Studies
Sep. 2007-Dec. 2008	*Dean* Korea University Division of International Studies
Dec. 2006-Dec. 2008	*Dean* Korea University Graduate School of International Studies
Dec. 2006-Feb. 2008	*Director* Korea University Global Research Institute
Jan. 2006-Nov. 2010	*Deputy Director* Asia Center for Human Rights
Jan. 2006-Dec. 2006	*Research Director* The Korean Association of International Studies
Jan. 2005-Dec. 2007	*Director* The Korean Association for Policy Studies The Steering Committee
Feb. 2002-Feb. 2003	*Visiting Professor* New York University Wagner School of Public Services
Mar. 1998-Feb. 2002	*Associate Dean for Academic Affairs* Korea University Graduate School of International Studies
Jun. 1992-Feb. 1994	*Research Associate* Berkeley Roundtable on the International Economy (BRIE) University of California, Berkeley
Jun. 1992-Jun. 1993	*Research Fellow* Pacific Basic Research Center Harvard University J. F. Kennedy School of Government
Dec. 1991-Jun. 1993	*Visiting Research Associate* Center for Technology and International Affairs The Fletcher School of Law and Diplomacy, Tufts University
May. 1991-Oct. 1991	*Intern* East-West Center (Honolulu, Hawaii)
Jun. 1989-Dec. 1989	*Intern* United Nations (Geneva, Switzerland) Secretariat's Office

Publications

"Once Resolved, Stay Resolved? The Refugee Policy of Jordan toward Palestinian Refugees." *Journal of International and Area Studies*, 23(1), 2016.

"The Evolution of Corporate Human Rights Responsibility Norms." *Journal of International and Area Studies*, 25(2): 151-181, 2016.

"The Mobilization for Voluntary Compliance with International Corporate Human Rights Responsibility (CHR) Guidelines by Korean Companies (In Korean)." *Journal of East and West Studies*, 28(2): 175-207, 2016.1

International Organization: Politics of Global Governance, 2nd Edition (in Korean). Daeun Publishing Co., 2016.

International Organization in Human Rights: Refugees and Migration Issues: UN Human Rights Organizations UNHCR IOM (in Korean). Oruem, 2015.

"The Human Rights Council Advisory Committee's Contribution to Global Human Rights." *The Institute of Korean Studies, Korea Observer*, Vol. 46, No. 5, 2015.

"Human Rights, Official Development Assistance (ODA), and Globalization: Quantitative Analysis and the Case of South Korea." *The Institute of Korean Studies, Korea Observer*, Vol. 46, No. 5, 2015.

"The Current Status of National Human Rights Institutions and its Implications on the National Human Right Commission on Republic of Korea: Based on 69 National Human Rights Institutions Accredited with an "A" Status", *Peace Studies*, Vol. 22, No. 2, 2014.

"U.N Charter-Based Human Rights System and East Asian Human Rights (in Korean)", *Korean Journal of International Relations*, Vol. 54, No. 4, 2014.

"The Refugee Act of Korea: The Limits of Civil Society Influence." *Korean Political Science Review*, Vol. 48, No. 3, 2014.

"Regional Governance of North Korean Human Rights." *Journal of International Politics*, Vol. 19, No. 1, 2014.

"Corporate Social Responsibility (CSR) Implementation in South Korea: Lessons from American and British CSR Policies." *Institute of international Affairs Journal of International and Area Studies*, Vol. 21, No. 2, 2014.

"Cosmopolitan Memories in East Asia: Revisiting and Reinventing the Second World War." *International Journal of Transitional Justice*, Vol. 21, No. 1, 2014.

"Regional Governance of North Korean Human Rights." *Journal of International Politics*, Vol. 19 No. 1, 2014.

"The Refugee Act of Korea: The Limits of Civil Society Influence." *Korean Political Science Review*, Vol. 48 No. 3, 2014.

"Extending Corporate Liability to Human Rights Violations in Asia." *Journal of International and Area Studies*, Vol. 20, No. 1, 2013.

"Forced Repatriation of North Korean Defectors: Granting Refugee Status under International Law." *Journal of Peace and Unification*, Vol. 2, No. 1, 2012.

"Representation of Human Rights Violations by Human Right NGOs." *Journal of International Politics*, Vol. 17, No. 1, 2012.

"Comprehensive Security Governance in East Asia: Converging Concepts, Institutions and Approaches." *East West Studies*, Vol. 24, No. 2, 2012.

"Characteristics of the Korean Human Rights Governance and Possibility of Diffusion into the Asian Region (In Korean)." *Korean Unification Studies*, Vol. 15, No. 2, 2011.

Improving North Korean Human Rights Situation: Peaceful Engagement and International Experiences (In Korean). Hanul, 2010.

"A Study on Good Governance of Support Policy for North Korean Defectors: Focusing on Employment Policy." *East and West Studies*, Vol. 22, No. 1, 2010.

"Theoretical Considerations: Why Countries Provide 'Development Aid'." *Journal of International Politics*, Vol. 15, No. 1, 2010.

Diffusion and Internalization of Governance (In Korean). DaeKyung, 2009.

Institutionalization of Regional Meta-governance Framework to Enhance Human Security in East Asia. GIARI Working Paper, Vol. 2008-E-2, 200.

"Multilateral Cooperation to Advocate Human Security in East Asia." *Korea Review of International Studies*, Vol. 10, No. 2, 2007.

A Method of Improvement and Utilization for Peace and Prosperity of Korean Peninsula (In Korean). Korean Institute of National Unification, 2007.

"Enhancing Human Security in North Korea through Development of a Human Rights Regime in Asia." *Korea Review of International Studies*, Vol. 10, No. 1, 2007.

Enhancing Human Security in North Korea: A Multilateral Approach. Non-Governmental Six Party Talks on Cooperation in Northeast Asia, Korea Association of International Studies, 2006.

Global Governance and Korea (In Korean). Hanyang University Press, 2006.

Various Study on Peace and Prosperity of Korean Peninsula (in Korean). Korean Institute of National Unification, 2006.

Establishing Desirable Governance of Unification Policy for Integration of South and North Korea (In Korean). Korean Institute of National Unification, 2005.

"North Korean Human Rights and East Asian Human Rights Governance: Focusing on International Regime Theory." *The Institute of Peace Affairs*, Vol. 44, 2005.

"United States Foreign Policy and United Nations: The Case of the War in Iraq." *The Korean Journal of International Relations*, Vol. 44, No. 5, 2004.

"The Role of NGOs in International Economic Organizations: Critical Theory Perspectives." *Korea Review of International Studies*, Vol. 7, No. 1, 2004.

"Heavy and Chemical Industrialization (HCI) Policy as a Mega-policy." *Korea Journal of Policy Studies*, Vol. 18, No. 2, 2004.

International Organization: Politics of Global Governance, 1st Edition (in Korean). Daeun Publishing Co., 2004.

"Theories of Global Governance." *Korea Review of International Studies*, Vol. 5, No. 1, 2003.

Globalization and Korea. Eulyoo Publishing Co., 2003.

"Theoretical Approaches to Global Governance." *Korea Review of International Studies*, Vol. 5, No. 1, 2002.

Politics of Governance (in Korean). Hanwoolsa, 2002.

"The Influence of the United States on 'WTO Plus' in the Asia-Pacific Economic Cooperation." *Korea Review of International Studies*, Vol. 3, No. 1, 2000.

"Dilemma of Politics of Reform in North Korea: Where Is It Going?" *East Asian Review*, Vol. 12, No. 4, 2000.

"Global Governance and International Organization (in Korean)." A paper presented at Summer Academic Conference of the Korean Political Science Association in July 4 2000.

Studies in Theories of International Political Economy (in Korean). Contemporary International Political Economy, co-edited by Jung-dong Yoo and Jong-chan Lee, Bonpumsa, 2000.

"Political Economy of Trade Negotiation: The Case Analysis of Korean Trade Negotiations with the United States in Automobile Industry (in Korean)." *Journal of Trade Law*, Vol. 32, 2000.

The World after the Cold War: Issues and Dilemmas. Graduate School of International Studies in Korea University, 1999.

Comparative Study of Korean and Japanese Trade Negotiations with the United States: The Case of Automobile Industry (in Korean). International Trade and Business Institute, 1999.

Korean Economic Diplomacy from 1970 to 199(in Korean). International Trade and Business Institute, 1998.

"From Investment to Innovation": The Korean Political Economy and Changes in Industrial Competitiveness," *IIRI Review*, Vol. 3, No. 1, 1997.

Technological Dependence and Limits to Growth of the Korean Economy. Europe-Asia: The Studies of Interdependence. University of Le Hâvre, 1997.

"International Competitiveness of Korean Semiconductor Industry," *Korea Review of International Studies*, Vol. 1, No. 1, 1997.

Industrial Strategies of Korea and Taiwan in the ge of Globalization. Middle Powers in the Age of Globalization: Implications for Korea's Political Economy and Unification. Korean Association of International Studies' International Conference Series No. 5, 1996.

"U.S.-Korea Industrial and Technological Cooperation: Implication for Regional Integration in the Asia-Pacific," Co-authored with Denis F. Simon. Economic and Regional Cooperation in Northeast Asia. University of Chicago, 1996.

"A comparative Study of Industrial Strategies of the United States and Japan: The Case of Co-Research and Development Program of Government and Enterprise in High-tech Industry in Korea," *Asian Studies*, Vol. 34, No. 1, 1996.

"Political Mechanics of South Korea's Technological Development: An Examination of the 'Developmental' Policies and Polls," Co-authored with Denis F. Simon. *Technology Analysis & Strategic Management*, Vol. 6, No. 4, 1994.

"Korea's Technological Development," Co-authored with Denis Simon. *Pacific Review*, Vol. 7, No. 1, 1994.

"Legacy of Mega-policy (Heavy and Chemical Industrialization): Can Korea Succeed in High-Technology?" *Great Policies in Asia*, edited by John Montgomery. Pacific Basin Research Center, Harvard JFK School of Government, 1994.

"Political Economy and Technology Innovation: Implications for Development of High-tech Industries in Korea." *The Korean Journal of Policy Studies*. Graduate School of Public Administration, Seoul National University, 1993.

Ion Diaconu (Romania)

Studies:

1956-1960	Bachelor of Law — Faculty of Law, University of Bucharest, Romania
1965-1968	PhD studies — University of Geneva, Switzerland
1971	PhD in International Law — University of Geneva, Switzerland

Professional activities:

October 2013	to present
	University Spiru Haret, Bucharest
	Professor Associate main topics — "The right of fundamenial freedoms" and "Public international law" University of Bucharest, Faculty of Law
	Professor Associate coordinator for master studies in "International Responsibility of States";
2010-2013	University Spiru Haret, Bucharest
	Professor Associate main topics — "Juridical protection of human rights", "Diplomatic and consular relations", "European and Euro-Atlantic Organizations";
2008-2010	University Spiru Haret, Bucharest
	Professor-Lecturer, main topics — „Juridical protection of human rights", "Diplomatic and Consular Law" and "International Relations in Modern and Contemporary Times", "European and Euro-Atlantic Organizations";
2006-2008	Spiru Haret University, Bucharest
	Professor-Lecturer main topics — "Juridical Protection of Human Rights" and "European and Euro-Atlantic Organizations";
2005-2008	Commission on Foreign Policy;
	Chamber of Deputies — Parliament of Romania;
	Chief Adviser.
1960-2005	Ministry of Foreign Affairs of Romania;
	Secretary-General of the Ministry of Foreign Affairs;
	Ambassador of Romania to Denmark;
	Ambassador of Romania to the Russian Federation;
	Director General, Legal Department;
	Director General Consular Affairs Department;
	Director General, Department for Security and Cooperation in Europe;
	Deputy Director, International Organizations and Legal Department;
	Diplomatic Counsellor, Permanent Mission of Romanian to the United Nations, New York;
	Diplomatic Counsellor, Embassy of Romanian in Brussels;

Academic activities:

1990-1993	National School of Political and Administrative Studies

	Professor International Law Studies;
2001-2006	National School of Political and Administrative Studies, Romanian Diplomatic Academy of the Ministry of Foreign Affairs;
	Faculty of History — University of Bucharest;
	Faculty of Law and Administrative Studies — "Dimitrie Cantemir" University;
	Professor-Lecturer of International Law;
1993-2001	Miscellaneous lectures on human rights issues in Copenhagen, Oslo, Lund, Stockholm and Moscow.

Participation in major international conferences:

1963	Vienna, Conference for the codification of consular law;
1972-1975	Helsinki and Geneva, Conference on Security and Cooperation in Europe;
2009	Geneva Review Conference on the implementation of Durban documents.
2001	Durban, World Conference against racism, racial discrimination, xenophobia and related intolerance;
1999	Sankt Petersburg, United Nations meeting, Decade of International Law;
1995	Copenhagen, World Conference on Social Development;
1988	United Nations Commission on Human Rights;
1986	Vienna, General Meeting of the Conference on Security and Cooperation;
1985	Ottawa, Meeting on Human Rights, Conference on Security and Cooperation in Europe;
1980	Madrid, General meeting of the Conference on Security and Cooperation in Europe;
1978	Belgrade, General meeting of the Conference on Security and Cooperation in Europe;

1964, 1981-1985, sessions of the General Assembly of the U.N. and other U.N. bodies in New York;

Membership of international legal bodies:

2013-2016	Member of the Committee for Regional or Minority Languages, Council of Europe;
2012-2016	Member Compliance Committee of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, of the United Nation Economic Commission for Europe — UNECE;
2012-2015	Member of the Committee for the Elimination of Racial Discrimination;
2008-2011	Member of the Committee for the Elimination of Racial Discrimination, Rapporteur of the Committee;
2002-2003	Chairman of the Committee for the Elimination of Racial Discrimination;
1991-2002	Member of the Committee for the Elimination of Racial Discrimination;

1988-2002 Member of the Permanent Court of Arbitration;

1988-1991 Member of the U.N. Sub commission for the Protection of Minorities and the Prevention of Discrimination;

Scientific activities and publications:

- Imperative Norms of International Law (Jus Cogens), 1971 (in French language), 1977 (in Romanian language);
- Handbook on Public International Law, 1993 (in Romanian language), 1995 — second edition, 2010 — third edition;
- Human Rights (in Romanian language), 1991;
- Human Rights in the Contemporary International Law (2001 — in Romanian language);
- Human Rights in the Contemporary International Law, theory and practice (in Romanian language- 2010);
- Juridical Protection of Human Rights, 2007 and 2010 — in Romanian language;
- Minorities — Status and Prospects, 1996 — in Romanian language;
- Minorities — Identity and Equality, 1998 — in Romanian language;
- Minorities in the Third Millennium, 1999 — in Romanian language;
- Minorities in International Law, 2001 — in English language;
- Minorities from Non-Discrimination to Identity, 2004 — in English, published with financial support of UNESCO;
- Minorities in the Contemporary International Law, 2009 — in Romanian language;
- European and Euro-Atlantic Organizations, 2009, second edition 2011 — in Romanian language;
- International Relations in Modern and Contemporary Times, 2008 — in Romanian language;
- Treaties of international law, vol. I (Introduction and Sources), 2002 — in Romanian language;
- Treaties of international law, vol. II (Representation, Spaces and Populations), 2003 — in Romanian language;
- Treaties of international law, vol. III (Economic Relations and Ways and Means of International Cooperation, 2005-in Romanian language;
- The International Criminal Court — a new stage, 2002 — in English language;
- Racial Discrimination, 2005 — in Romanian language;
- Racial Discrimination, 2007 — in English, published by the UNDP Office of Bucharest;
- Racial Discrimination, 2011 — in English, published by Eleven Publishers, The Hague;
- Culture and Human Rights, 2012, in Romanian language, Ed. Pro Universitaria;
- International Responsibility in International Law, 2013, in Romanian language, Ed. Pro Universitaria;
- Introduction to public international law, 2014, in Romanian language, Ed. Pro Universitaria;
- Speaking Different, Living Together: Linguistic Rights, Ed. Al Ata, 2015;
- *La Culture et les Droits de L'homme, 2015, Le Harmattan, Editions*, Paris ;

- More than 100 studies and articles on different issues of international law and human rights in Romanian language and foreign publications and books, in Romanian language, English and French.

Languages:

Romanian — native

English, French and Russian — Full professional proficiency

United Nations A/HRC/36/17/Add.1

General Assembly

Distr.: General
15 August 2017

Original: English

Human Rights Council
Thirty-sixth session
11-29 September 2017
Agenda item 1
Organizational and procedural matters

Election of members of the Human Rights Council Advisory Committee

Note by the Secretary-General

Addendum

1. With reference to paragraphs 10 and 11 of the note by the Secretary-General on the election of members of the Human Rights Council Advisory Committee (A/HRC/36/17), the secretariat has received additional information relating to candidatures for the vacancies to be filled during the thirty-sixth session of the Human Rights Council.

2. On 19 July 2017, the Permanent Mission of Morocco submitted to the Office of the United Nations High Commissioner for Human Rights the nomination of one candidate.

3. The nomination received is listed below; biographical data relating to the candidate are contained in the annex.

African States

Nominating State/group	*Expert nominated*
Morocco	Mohamed Bennani

GE.17-13474(E)
1713474

Please recycle

Annex

Curriculum vitae*

Mohamed Bennani (Morocco)

Personal data:

Date of Birth: 12 February 1943

Nationality: Moroccan

Languages: Arabic, French, English

Function:

- Professor at the Faculty of Law, Hassan II University, Aïn-Chok Casablanca
- Director, UFR International Studies
- Coordinator, Master Programme "New Tendencies in International Law"
- Director, Center of Doctoral Studies
- Professor Emeritus, since 2008

Degrees:

- PhD in Public Law, Hassan II University, June 1975
- Thesis: "*The demilitarization of the seabed beyond the limits of national jurisdiction*"
- Diploma of Higher Education in Public Law, March 1970
- 3rd cycle (Master) Thesis: "*The settlement of the disputes arising from the interpretation and application of agreements concluded between International Organizations or between States and International Organizations*"
- Auditor of the Academy of International Law, The Hague (1968, 1970-1972); holder of a degree from the Center for Studies and Research in the 1969 session

Professional experience:

- Professor, Faculty of Law, Hassan II University, Casablanca, since 1975
- Former President, Moulay Ismail University, 1997-2002
- Former Dean, Faculty of Law, Casablanca, 1979-1996
- Senior Lecturer, 1970-1975
- Assistant Lecturer, 1968-1970
- Part-time Lecturer, Faculty of Law of National School of Public Administration, Rabat (ENAP); Faculty of Law of Meknes; Faculty of Law of Tangier; Faculty of Law of Fez; and Faculty of Law – Mohammedia
- Visiting Professor at French universities: Paris 1 Panthéon-Sorbonne; Paris XII Saint Maure; Paris V Sud; Paris X Nanterre; University of Social Sciences, Toulouse; University of Bordeaux 1; Mendes France University, Grenoble; Robert Schuman University, Nice; René Cassin Institute of Human Rights, Strasbourg; University of Toulon; and University of Aix en Provence

* Curricula vitae are issued without formal editing.

- Visiting Professor in Spain, University of La Cala de Heinarés, Madrid; Jean University, Granada; University of Cordoba, Andalusia
- Visiting Professor at different universities in Arab countries, including, University of Tunis 1 Al Manar; University of Cairo; University of Alexandria; University of Damascus; University of Amman; University of Tripoli and Benghazi — Libya; University of Nouakchott; and the Arab University, Beirut
- Visiting Professor in Anglophone universities, including, American universities (under the "Young Leaders" programme) and British universities as part of the "Refugee Studies Program" at the University of Oxford

Courses taught:

- International Relations, first year Bachelor in law in the faculties of Rabat and Casablanca
- Public International Law, third year Bachelor in Public Law, Faculty of Law of Casablanca
- Public International Law, Graduate Certificate in International Relations, Rabat and Casablanca
- Diplomatic Practice, Graduate Certificate in International Relations, Rabat and Casablanca
- International Law, Diploma of Advanced Graduate Studies
- International Affairs, Graduate Programme, ENAP
- Public International Law, Master in New Tendencies in International Law; International judiciary institutions; International protection of cultural heritage
- The International system of Human Rights / Master in Human Rights and International Humanitarian Law, Faculty of Law, Moulay Ismail University — Meknes
- Preparing and mentoring students for the Moot Court test, held at the end of the Master's programme on topics related to human rights and international criminal law issues
- Supervising doctoral theses and research papers

Missions:

- Member of the Moroccan delegation, third conference on the Law of the Sea (1976-1982)
- Member of the Moroccan delegation, Conference of Banjul for the elaboration of the African Charter of Human and Peoples' Rights, 1981
- Member of the Legal Group for Studies on the *Project for a Permanent Europe-Africa link across the Strait of Gibraltar*, National Company for Studies of the Strait of Gibraltar
- Member of the aggregation jury on Public Law, organized by the Ministry of Higher Education of Tunisia, 1994 and 1996
- Judge, Arab Maghreb Union Court, 2002-present, 1990-1995
- Member, National Group at the Permanent Court of Arbitration, The Hague, 2004-present
- Member, Board of the UNESCO Institute for Education, Hamburg, 2002-2003
- Member of the jury for the Charles Rousseau Contest on International Law, organized by the Francophone Network of International Law, 2006 and 2008
- Organizing member, Moot Court Competition among Students of the Partners at the Arab Academic Network on Human Rights, held in the Institute of Human Rights of the Arab University of Beirut, 22-23 September 2012

Seminars:

- Participated in many seminars and national and international conferences
- Invited as an expert to the activities of the UNESCO on human rights, Paris, 1978-1982
- Taught human rights, Strasbourg, 1982-1984
- Problems of peace and disarmament, Gent 1984
- Management of Justice, Tunis 1988
- Invited as an expert to the activities of UNIDIR with African research institutes on disarmament, Geneva 1981
- Invited to deliver a statement before the UN General Assembly in March 1995, in the framework of the UN Conference on International Law in the Twenty-First Century
- Invited to deliver a statement at the UNESCO regional conference for the Arab World on the human rights education, Rabat 2002
- Invited as an expert to the training session organized by the International Labour Office and the Institute of Legal Studies of Amman, on "*The new tendencies in international law and international trade*", Jordan 2005
- Participated in numerous sessions of the Interuniversity Network on "*International Protection of Cultural Heritage*" under the auspices of the CECOJI (Paris, Milan, Tunis, Casablanca) between 2006 and 2011
- Organized and participated in numerous sessions of the Arab Academic Human Rights and International Humanitarian Law Network (AARHN) in Casablanca, Amman, Beirut, Istanbul and Lund between 2009 and 2012
- Participated in activities organized by different centres and university institutes on human rights in the Netherlands (Amsterdam, Utrecht, Leiden and Maastricht) in 2010-2011
- Participated in activities of the Raoul Wallenberg Institute of the University of Lund, Sweden, on International Law of Human Rights and International Humanitarian Law, between 2009 and 2011

Learned societies:

- The Moroccan Society for Environmental Law (SOMADE)
- The Moroccan Society for the Law of the Sea
- The Moroccan Association got Studies and Research in International Relations
- The Economic and Social Observatory of the Maghreb (OESMA)
- The Study and Research Group on the Mediterranean (GERM)
- The Moroccan Network for International Humanitarian Law
- The Knowledge Foundation of Morocco
- The Center of Studies and International Legal Cooperation (CECOJI)

Publications:

- Author of several articles and papers published in various national and international journals
- Participated in the collective work edited by JP TOC and A. PELLET on "*The United Nations Charter, article by article*" 1985 and 1995, Paris Economica
- "*Introduction to International Relations*", a manual of 2 volumes, Casablanca 1992
- Director of the *Moroccan Review of Law and the Economy of Development*, edited by the Faculty of Law of Casablanca, 1982-1997

- Director of the Review "*Minbar Al Jamiaa*", published by the Rectorate of Moulay Ismail University, 1993-2003
- Works of the session of Arab Academic Network on teaching and research in the field of human rights, ongoing edition

United Nations A/HRC/36/18

General Assembly

Distr.: General
3 July 2017

Original: English

Human Rights Council
Thirty-sixth session
11-29 September 2017
Agenda item 2
Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Composition of the staff of the Office of the United Nations High Commissioner for Human Rights

Report of the United Nations High Commissioner for Human Rights*

* The annexes to the present report are reproduced as received, in the language of submission only.

GE.17-11032(E)

Please recycle

I. Introduction

1. The Human Rights Council, in its resolution 33/2, requested the High Commissioner for Human Rights to submit a comprehensive and updated report to the Council at its thirty-sixth session, with a special focus on further measures taken to correct the imbalance in the geographical composition of the staff of the Office of the High Commissioner (OHCHR). In resolution 28/2, the Council had requested the High Commissioner to submit such a report at its thirty-third session. That report on the composition of the staff of OHCHR presented data for 2015 (A/HRC/33/16), but the High Commissioner also explained that with more staff now falling under the new staff selection and managed mobility system (see ST/SGB/2016/1), there would be no separate measures taken by or for OHCHR on which to report. As the resolution asking for the current report was passed before the previous report was issued, the High Commissioner, while still presenting the current report, is unable to expand on measures related to the geographical composition of his Office.

2. Chapter II of the present report includes data on staff members on regular budget posts subject to geographical distribution and data on staff in temporary posts funded from general temporary assistance and extrabudgetary resources, or on technical cooperation project posts, neither of which are included in the definition of posts subject to geographical distribution.

3. Chapter III contains a description of the measures for improvement taken by the High Commissioner, bearing in mind the issues identified by the Human Rights Council in resolution 33/2, while fully observing United Nations Secretariat human resources policies, in particular, its recruitment and contractual policies.

II. Composition of the staff of the Office of the United Nations High Commissioner for Human Rights

4. The recruitment of staff members to posts subject to geographical distribution is governed by the system of desirable ranges at the Secretariat level. For that purpose, Member States are grouped into four categories: unrepresented, underrepresented, within range and overrepresented. A Member State is considered unrepresented when none of its nationals, throughout the entire Secretariat, is serving in a post subject to geographical distribution and filled in accordance with the established selection process. It is underrepresented when the number of its nationals appointed to such posts throughout the entire Secretariat is below the lower limit of the desirable range. It is within range when the number of its nationals appointed to such posts is between the upper and lower limits of the desirable range and it is overrepresented when the number of its nationals appointed to such posts within the entire Secretariat exceeds the upper limit of the desirable range. The representation status of Member States is affected by many factors, in particular the turnover of staff and changes in the scale of assessments.

5. The official report on the composition of the Secretariat is submitted annually by the Secretary-General to the General Assembly in accordance with a number of resolutions, the most recent being Assembly resolutions 59/266, 60/238, 61/244, 63/250, 65/247, 66/234, 67/255, 68/252 and 71/263.

6. The most recent report of the Secretary-General on the composition of the Secretariat (A/71/360) covers the period from 1 July 2015 to 30 June 2016. OHCHR is part of the Secretariat and the breakdown of its geographical composition has to be seen against the breakdown of the overall distribution within the Secretariat.

7. The Office of Human Resources Management launched an online reporting tool, "HR Insight", available to all permanent missions in August 2011. Since its launch, staff demographic information has been available to all permanent missions. It is based on the human resources data warehouse and enables the retrieval of information from other human resources systems, including IMDS, Nucleus and Umoja.

8. The first release of the tool provided permanent missions with reports on desirable ranges, a staff list and staff details for their respective nationals, such as composition by sex and type of appointment. These online reports are updated on a monthly basis (with an approximately three-month time lag) and can be downloaded, enabling permanent missions to gain convenient, instant access to officially requested reports from the Office of Human Resources Management and reducing the need to print and distribute paper copies. As such, the tool helps make the United Nations more environmentally friendly; for example, the list of staff of the Secretariat is available only on this platform, which obviates the need to print thousands of pages per year.

9. Since the first release of the tool, the Office of Human Resources Management has made a number of enhancements, including adding reports that show Member States the separations, appointments and forecast retirements of their nationals, plus a forecast of retirements with respect to all P-5 to D-2 positions. As requested by the General Assembly in paragraph 48 of resolution 67/254, a file showing data on the representation of developing countries for geographical staff by month has been published online.

10. Going forward, the Office of Human Resources Management will work to make more information available online, thereby giving Member States convenient and monthly access to staff demographic information that was previously available only in its annual report, thus reducing the number of pages printed and data duplicated across HR Insight and the report on the composition of the Secretariat.

11. The table in annex I provides a breakdown of all OHCHR staff members in the Professional category and above who have been selected through the established recruitment process ("regular" staff) against both regular budget posts subject to geographical distribution and extrabudgetary posts, by nationality, grade and sex as at 31 December 2016.

12. The table in annex II provides a breakdown of the following categories of additional OHCHR staff in the Professional category and above not included in the table in annex I, also by nationality, grade and sex as at 31 December 2016:

(a) Staff holding appointments of less than one year;

(b) Staff charged to general temporary assistance funds;

(c) Staff employed as technical cooperation project personnel.

13. It should be recalled that in paragraph 14, section IX, of its resolution 63/250, the General Assembly re-emphasized that the system of geographical ranges was designed to apply to countries rather than to regions or groups. This principle was recently reiterated by the Joint Inspection Unit in a comparative analysis and benchmarking framework on staff recruitment in United Nations system organizations, focusing on gender balance and geographical distribution (JIU/REP/2013/2). The data in the present report are therefore provided by country and listed in alphabetical order.

14. As at 31 December 2016, OHCHR had a total of 678 staff members in the Professional category and above, of whom 5 are considered regular staff.

15. Nationals from 114 countries are represented in the Professional and above workforce, on both geographical and non-geographical posts. The latter comprise extrabudgetary posts that are not included in the system of desirable ranges (see paragraph 6 above). Of these 114 nationalities, 35 are underrepresented,[1] 71 are considered within

[1] Underrepresented as at 31 December 2016: Afghanistan, Australia, Belarus, Brazil, Central African Republic, China, Indonesia, Iran (Islamic Republic of), Iraq, Japan, Lesotho, Norway, Russian Federation, United States of America and Venezuela (Bolivarian Republic of).

range,[2] while 28 nationalities are overrepresented[3] in the Secretariat. OHCHR also has nationals from the State of Palestine on its staff and one stateless staff member.

16. Despite the confirmation by the General Assembly that the system of geographical ranges to be applied to the Secretariat is based on individual countries rather than regions, the Human Rights Council has repeatedly requested that statistics on a regional basis be provided. The table below complies with that request, showing the distribution of OHCHR staff by regional group. It shows clearly a significant improvement in the geographical balance between the regions since 2006. This can be explained by the mobile and dynamic nature of OHCHR staff members and the effect of the various policies of the High Commissioner in improving geographic diversity.

Office of the United Nations High Commissioner for Human Rights by region
(Percentages at 31 December 2016)

Region	*2006*	*2009*	*2012*	*2015*	*2016*[4]
Africa	11.1	13.8	16.7	15.5	13.6
Asia	11.9	13.6	15.7	13.7	15.4
Latin America and Caribbean	9.6	13.2	13.3	11.6	12.0
Eastern Europe	3.3	5.7	7.0	7.8	8.1
Western Europe and others	64.1	53.7	47.3	51.4	50.9
Total	**100**	**100**	**100**	**100**	**100**

III. Efforts made to achieve equitable geographical representation and gender balance, and the new Secretariat staff selection and managed mobility system

17. Enhancing the geographical diversity of OHCHR staff remains one of the High Commissioner's priorities. However, since 1 January 2016, he no longer has the authority to select the candidate he considers best suited for most OHCHR regular positions, as these positons are part of the Political, Peace and Humanitarian Network. Selections for such positions are coordinated centrally through Office of Human Resources Management.

18. As mentioned in the previous report (A/HRC/33/18), on 28 December 2015, the Under-Secretary-General for Management, taking into consideration the provisions of Article 101 of the Charter of the United Nations and pursuant to section 4.2 of the Secretary-General's bulletin on procedures for the promulgation of administrative issuances (ST/SGB/2009/4), for the purpose of implementing General Assembly resolution 68/265 of 9 April 2014, staff regulation 1.2 (c) and the Secretary-General's bulletin on the introduction of a new staff selection and managed mobility system (ST/SGB/2016/2), promulgated an administrative instruction on staff selection and managed mobility system (ST/AI/2016/1 and Amend. 1).

[2] Within range at 31 December 2016: Albania, Algeria, Armenia, Bangladesh, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Burundi, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Democratic Republic of the Congo, Ecuador, El Salvador, Eritrea, Estonia, Gambia, Germany, Greece, Guatemala, Guyana, Haiti, Hungary, India, Israel, Jamaica, Kazakhstan, Kyrgyzstan, Lithuania, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mongolia, Nepal, New Zealand, Nigeria, Pakistan, Panama, Paraguay, Peru, Republic of Korea, Republic of Moldova, Romania, Senegal, Serbia, Sierra Leone, Singapore, Slovenia, South Africa, Sudan, Sweden, Syrian Arab Republic, Tajikistan, the former Yugoslav Republic of Macedonia, Togo, Tonga, Tunisia, Turkey, Ukraine, Uzbekistan and Yemen.

[3] Overrepresented at 31 December 2016: Argentina, Austria, Belgium, Bulgaria, Cameroon, Canada, Chile, Denmark, Egypt, Ethiopia, Finland, France, Ghana, Ireland, Italy, Jordan, Kenya, Lebanon, Mexico, Netherlands, Philippines, Portugal, Spain, Switzerland, Trinidad and Tobago, Uganda, United Kingdom of Great Britain and Northern Ireland and Uruguay.

[4] Source: Umoja.

19. The new staff selection system and the managed mobility system is implemented through semi-annual staffing exercises composed of two parts:

(a) The filing of job openings: the selection and appointment of staff members in the Professional and higher categories up to and including the D-2 level and in the Field Service category to vacant positions available for one year or longer;

(b) A managed mobility exercise: the placement against encumbered rotational positions under managed mobility of eligible and suitable staff members in the Professional and higher categories up to and including the D-2 level and in the Field Service category, who have been recruited following a competitive process, including review by a senior or central review body under staff rule 4.15, or through a competitive examination under staff rule 4.16 and who hold a fixed-term, continuing or permanent appointment.

20. In the new system, all placement and recruitment decisions are made in the interests of the Organization as a whole by the Assistant Secretary-General for Human Resources Management and the Secretary-General, in accordance with the goals and obligations placed upon them under the system of desirable ranges mandated by the General Assembly. For OHCHR, this is reflected in the departmental target relating to the recruitment of nationals from unrepresented and underrepresented Member States established in the High Commissioner's compact. The High Commissioner may still indicate to the Assistant Secretary-General the human resource priorities for OHCHR, but he has no final say in the selection process. OHCHR will work closely with the Office of Human Resources Management in the implementation of the new system, and will continue to inform the Assistant Secretary-General that geographic diversity remains a priority.

21. In addition to the temporary job openings due to normal workforce fluctuations, the implementation of the new system has resulted in an increased number of temporary job openings as an interim solution to ensure that work, central to the mandate of OHCHR, continues. Notwithstanding instructions from the Under-Secretary-General for Management to reduce costs by selecting candidates residing within the duty station, the High Commissioner will continue to endeavour to use the selection of temporary staff members to increase the diversity of his Office.

22. OHCHR will continue to pay special attention to the issue of balance between female and male staff members at all levels, an area in which determination and concerted efforts have already brought success. As at 31 December 2016, women accounted for 61 per cent of Professional staff at the P-1 to P-4 level and 34 per cent at the senior level (P-5 to D-2). OHCHR will fully commit to the Secretary-General's system-wide strategy on gender parity.

IV. Conclusion

23. **The High Commissioner will remain attentive to the need to maintain emphasis on the broadest possible geographical diversity of his staff and will continue his efforts in this regard, working closely with the Office of Human Resources Management within the new system of recruitment for the Secretariat. Under the new system of recruitment, however, there will be no separate measures by or for OHCHR on which to report to the Human Rights Council in respect of the composition of its staff. The attention of the Council is therefore drawn to the official report of the Secretary-General on staff demographics, which deals with the composition of the Secretariat, and the comprehensive information it contains about the staff of OHCHR, inter alia.**

Annex I

Regular staff of the Office of the United Nations High Commissioner for Human Rights in the Professional and higher categories, by nationality, grade and sex

(As at 31 December 2016)

	Total staff		USG		ASG		D-2		D-1		P-5		P-4		P-3		P-2		P-1	
Country of nationality	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Afghanistan	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
Albania	1	0	-	-	-	-	-	-	-	-	-	-	-	0	-	-	-	-	-	-
Algeria	4	1	-	-	-	-	-	-	-	-	1	-	-	-	-	2	-	1	-	-
Argentina	12	9	-	-	-	-	-	-	-	-	-	2	4	-	3	1	-	-	-	-
Armenia	5	3	-	-	-	-	-	-	-	-	-	-	-	2	2	1	-	-	-	-
Australia	11	3	-	-	-	1	-	-	-	-	3	-	-	1	5	1	-	-	-	-
Austria	6	4	-	-	-	-	-	-	-	-	-	-	1	2	1	2	-	-	-	-
Bangladesh	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-
Belgium	6	4	-	-	-	-	-	-	-	-	-	-	1	1	2	-	1	1	-	-
Benin	1	-	-	-	-	-	-	-	-	-	1	-	1	-	1	-	-	-	-	-
Bolivia (Plurinational State of)	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-
Bosnia and Herzegovina	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
Botswana	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-
Brazil	7	4	-	-	-	-	-	-	-	-	-	-	1	1	2	1	-	-	-	-
Bulgaria	6	3	-	-	-	-	-	-	-	-	2	-	1	-	-	3	-	-	-	-
Burundi	2	1	-	-	-	-	-	-	-	-	-	-	-	-	1	1	-	-	-	-
Cameroon	7	2	-	-	-	-	-	-	-	-	-	-	2	-	1	2	-	-	-	-
Canada	17	10	-	-	-	-	-	-	-	-	4	1	1	5	2	4	-	-	-	-
Central African Republic	1	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-
Chile	2	1	-	-	-	-	-	-	-	-	-	-	1	-	-	1	-	-	-	-
China	4	4	-	-	-	-	-	-	-	-	-	-	-	3	-	-	-	1	-	-
Colombia	7	5	-	-	-	-	-	-	-	-	-	1	1	2	1	2	-	-	-	-
Congo	2	1	-	-	-	-	-	-	-	-	-	-	1	1	-	-	-	-	-	-
Costa Rica	2	-	-	-	-	-	-	-	-	-	1	-	1	-	-	-	-	-	-	-
Côte d'Ivoire	1	1	-	-	-	-	-	-	-	-	1	-	1	-	-	1	-	-	-	-
Croatia	2	1	-	-	-	-	-	-	-	-	-	-	-	1	1	-	-	-	-	-
Cuba	1	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-
Cyprus	1	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-
Czechia	5	3	-	-	-	-	-	-	-	-	1	-	-	1	1	2	-	-	-	-
Democratic Republic of the Congo	5	3	-	-	-	-	-	-	-	-	-	-	1	-	1	2	-	1	-	-
Denmark	6	3	-	-	-	-	-	-	-	-	1	1	2	1	-	1	-	-	-	-
Ecuador	5	4	-	-	-	-	-	-	-	-	-	-	1	2	-	1	-	1	-	-
Egypt	2	-	-	-	-	-	-	-	1	-	-	-	-	-	1	-	-	-	-	-
El Salvador	2	1	-	-	-	-	-	-	-	-	-	-	-	-	1	1	-	-	-	-

	Total staff		USG		ASG		D-2		D-1		P-5		P-4		P-3		P-2		P-1	
Country of nationality	All	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Eritrea	1	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-
Estonia	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
Ethiopia	3	1	-	-	-	-	-	-	-	-	-	-	-	-	2	1	-	-	-	-
Finland	4	2	-	-	-	-	-	-	-	-	2	1	-	-	-	-	-	1	-	-
France	37	24	-	-	-	-	-	-	2	-	1	3	5	7	5	14	-	-	-	-
Germany	20	14	-	-	-	-	-	-	-	-	1	3	2	4	3	7	-	-	-	-
Ghana	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
Guatemala	2	2	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1	-	-
Guyana	2	1	-	-	-	-	-	-	-	-	-	-	-	1	1	-	-	-	-	-
Haiti	3	2	-	-	-	-	-	-	-	-	-	1	-	1	-	-	1	-	-	-
India	9	6	-	-	-	-	-	-	-	-	1	1	1	3	1	2	-	-	-	-
Indonesia	1	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-
Iran (Islamic Republic of)	2	2	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-	-	-
Iraq	4	2	-	-	-	-	-	-	-	-	-	-	-	-	2	2	-	-	-	-
Ireland	5	3	-	-	-	-	-	-	-	-	-	-	-	1	2	2	-	-	-	-
Israel	3	2	-	-	-	-	-	-	-	-	-	-	-	-	1	2	-	-	-	-
Italy	33	17	-	-	-	-	-	-	1	-	5	4	5	8	5	4	-	1	-	-
Jamaica	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
Japan	12	8	-	-	-	-	-	-	-	-	1	-	1	1	1	6	1	1	-	-
Jordan	9	5	1	-	-	-	-	-	-	1	-	-	2	2	1	1	-	1	-	-
Kazakhstan	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-
Kenya	4	3	-	-	-	-	-	-	-	-	1	-	-	-	-	3	-	-	-	-
Kyrgyzstan	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
Lebanon	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
Lesotho	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
Lithuania	2	1	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1	-	-
Madagascar	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-
Malawi	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
Malaysia	2	2	-	-	-	-	-	-	-	-	-	-	-	1	-	1	-	-	-	-
Maldives	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-
Mali	3	1	-	-	-	-	-	-	1	-	-	-	1	1	-	-	-	-	-	-
Malta	1	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-
Mauritania	2	-	-	-	-	-	-	-	-	-	-	-	1	-	1	-	-	-	-	-
Mauritius	2	1	-	-	-	-	-	-	-	-	-	-	1	-	-	1	-	-	-	-
Mexico	9	7	-	-	-	-	-	-	-	-	-	-	1	1	1	6	-	-	-	-
Mongolia	3	1	-	-	-	-	-	-	-	-	1	1	-	-	1	-	-	-	-	-
Nepal	6	1	-	-	-	-	-	-	-	-	-	-	2	-	3	1	-	-	-	-
Netherlands	6	3	-	-	-	-	-	-	-	-	1	1	-	1	2	1	-	-	-	-
New Zealand	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
Nigeria	6	4	-	-	-	-	-	-	-	-	2	1	-	2	-	1	-	-	-	-
Norway	6	5	-	-	-	-	-	-	-	-	-	-	-	-	-	4	1	1	-	-
Pakistan	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
Panama	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
Paraguay	2	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-	-

	Total staff		*USG*		*ASG*		*D-2*		*D-1*		*P-5*		*P-4*		*P-3*		*P-2*		*P-1*	
Country of nationality	*All*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*
Peru	4	1	-	-	-	-	-	-	-	-	2	-	-	1	1	-	-	-	-	-
Philippines	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
Portugal	7	5	-	-	-	-	-	-	-	-	-	-	1	2	1	3	-	-	-	-
Republic of Korea	8	7	-	-	-	-	-	-	-	-	-	1	1	-	-	3	-	3	-	-
Republic of Moldova	3	2	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	1	-	-
Romania	1	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-
Russian Federation	7	3	-	-	-	-	-	-	-	-	1	-	2	-	1	2	-	1	-	-
Senegal	3	1	-	-	-	-	-	-	-	-	1	-	1	-	-	1	-	-	-	-
Serbia	5	3	-	-	-	-	-	-	-	-	-	-	-	1	1	2	1	-	-	-
Singapore	2	1	-	-	-	-	-	-	-	-	-	-	-	-	1	1	-	-	-	-
Slovenia	4	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	3	-	-
South Africa	3	1	-	-	-	-	-	-	-	-	-	-	2	-	-	1	-	-	-	-
Spain	34	21	-	-	-	-	-	-	-	1	1	2	4	3	7	12	1	3	-	-
Sudan	1	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-
Sweden	9	7	-	-	-	-	-	-	-	-	-	-	1	4	1	3	-	-	-	-
Switzerland	19	15	-	-	-	-	-	-	-	-	-	-	2	1	2	14	-	-	-	-
The former Yugoslav Republic of Macedonia	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
Togo	4	-	-	-	-	-	-	-	-	-	1	-	2	-	1	-	-	-	-	-
Tonga	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-
Trinidad and Tobago	2	1	-	-	-	-	-	-	-	1	1	-	-	-	-	-	-	-	-	-
Tunisia	5	2	-	-	-	-	-	-	-	-	1	-	1	1	1	1	-	-	-	-
Turkey	1	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-
Uganda	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-
Ukraine	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
United Kingdom of Great Britain and Northern Ireland	26	12	-	-	1	-	-	-	-	-	5	1	3	7	4	2	1	2	-	-
United States of America	25	11	-	-	-	-	-	1	3	1	3	1	5	2	2	3	1	3	-	-
Uruguay	2	1	-	-	-	-	-	-	-	-	-	-	1	-	-	1	-	-	-	-
Uzbekistan	6	2	-	-	-	-	-	-	-	-	-	-	-	-	4	2	-	-	-	-
Venezuela (Bolivarian Republic of)	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
Yemen	2	2	-	-	-	-	-	-	-	-	-	-	-	1	-	1	-	-	-	-
Subtotal	**554**	**314**	**1**	**0**	**1**	**1**	**1**	**1**	**8**	**4**	**48**	**26**	**72**	**92**	**99**	**160**	**10**	**30**	**0**	**0**
State of Palestine	3	1	-	-	-	-	-	-	-	-	1	-	1	-	-	1	-	-	-	-
Stateless	1	0	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-
Total	**558**	**315**	**1**	**0**	**1**	**1**	**1**	**1**	**8**	**4**	**49**	**26**	**74**	**92**	**99**	**161**	**10**	**30**	**0**	**0**

Annex II

Non-regular staff of the Office of the United Nations High Commissioner for Human Rights in the Professional and higher categories, by nationality, grade and sex

(As at 31 December 2016)

	Total staff		*USG*		*ASG*		*D-2*		*D-1*		*P-5*		*P-4*		*P-3*		*P-2*		*P-1*	
Country of nationality	*All*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*
Albania	1	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-
Argentina	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	1	-	-
Armenia	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
Australia	2	2	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1	-	-
Austria	2	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1	-	-	-
Belarus	1	0	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
Belgium	3	1	-	-	-	-	-	-	-	-	-	-	-	-	1	1	1	-	-	-
Cameroon	3	3	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	1	-	-
Canada	5	5	-	-	-	-	-	-	-	-	-	-	-	-	-	3	-	2	-	-
China	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-
Colombia	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-
Côte d'Ivoire	1	0	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
Czechia	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
Democratic Republic of the Congo	3	0	-	-	-	-	-	-	-	-	-	-	-	-	2	-	1	-	-	-
Denmark	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
France	15	10	-	-	-	-	-	-	-	-	-	-	2	1	2	6	1	2	-	1
Gambia	1	1	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-
Germany	3	3	-	-	-	-	-	-	-	-	-	-	-	1	-	1	-	1	-	-
Greece	1	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-
Hungary	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
Ireland	2	2	-	-	-	-	-	-	-	-	-	-	-	1	-	1	-	-	-	-
Italy	6	3	-	-	-	-	-	-	-	-	-	-	-	-	2	1	1	2	-	-
Japan	2	2	-	-	-	-	-	-	-	-	-	-	-	1	-	1	-	-	-	-
Jordan	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
Kyrgyzstan	1	0	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
Lithuania	1	0	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
Mauritania	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-
Mauritius	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-
Mexico	2	1	-	-	-	-	-	-	-	-	-	-	-	-	1	1	-	-	-	-
Netherlands	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-
Norway	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
Philippines	2	0	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-	-
Republic of Korea	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
Romania	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-

	Total staff		USG		ASG		D-2		D-1		P-5		P-4		P-3		P-2		P-1	
Country of nationality	All	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Russian Federation	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
Senegal	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
Sierra Leone	1	0	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
South Africa	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
Spain	6	4	-	-	-	-	-	-	-	-	-	-	-	-	1	3	1	-	-	1
Sudan	1	0	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-
Sweden	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-	-	-
Switzerland	6	3	-	-	-	-	-	-	-	-	-	-	-	-	3	2	-	1	-	-
Syrian Arab Republic	1	0	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
Tajikistan	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
Togo	3	0	-	-	-	-	-	-	-	-	-	-	-	-	2	-	1	-	-	-
Tunisia	1	0	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
United Kingdom of Great Britain and Northern Ireland	10	4	-	-	-	-	-	-	-	-	1	-	1	1	3	2	1	1	-	-
United States of America	10	6	-	-	-	-	-	-	-	-	-	-	2	1	1	3	1	2	-	-
Subtotal	**119**	**74**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**1**	**0**	**6**	**9**	**27**	**43**	**11**	**20**	**0**	**2**
State of Palestine	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-
Total	**120**	**75**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**1**	**0**	**6**	**9**	**27**	**44**	**11**	**20**	**0**	**2**

United Nations A/HRC/36/19*

General Assembly

Distr.: General
24 May 2017

Original: English

Human Rights Council
Thirty-sixth session
11-29 September 2017
Agenda items 2 and 3
Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Summary of the panel discussion on access to medicines

Report of the United Nations High Commissioner for Human Rights

Summary

The present report was prepared in accordance with Human Rights Council resolution 32/15, in which the Council decided to convene, at its thirty-fourth session, a panel discussion to exchange views on good practices and key challenges relevant to access to medicines as one of the fundamental elements of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. The Council also requested the United Nations High Commissioner for Human Rights to prepare a summary report of the panel discussion, for consideration at its thirty-sixth session.

* Reissued for technical reasons on 27 July 2017.

GE.17-08396(E)
1708396

Please recycle

I. Introduction

1. Pursuant to its resolution 32/15, the Human Rights Council convened, on 8 March 2017 during its thirty-fourth session, a panel discussion to exchange views on good practices and key challenges relevant to access to medicines as one of the fundamental elements of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. In the same resolution, the United Nations High Commissioner for Human Rights was requested to prepare a summary report of the discussions for submission to the Council at its thirty-sixth session.

2. The panellists were: Ruth Dreifuss, former President of Switzerland, Chair of the Global Commission on Drug Policy and Co-Chair of the Secretary-General's High-level Panel on Access to Medicines; Michael Kirby, former Justice of the High Court of Australia and member of the Secretary-General's High-level Panel on Access to Medicines; Marie-Paule Kieny, Assistant Director-General for Health Systems and Innovation of the World Health Organization (WHO); Antony Taubman, Director of the Intellectual Property Division of the World Trade Organization (WTO); Thomas Bombelles, Head of Global Health at the Global Issues Sector of the World Intellectual Property Organization (WIPO); Carlos Correa, Special Adviser on Trade and Intellectual Property at the South Centre; and James Zhan, Director of the Division on Investment and Enterprise at the United Nations Conference on Trade and Development (UNCTAD). The discussion was moderated by the Permanent Representative of Brazil to the United Nations Office and other international organizations in Geneva, Maria Nazareth Farani Azevêdo.

3. During the panel discussion, the panellists made brief opening statements that were followed by a debate chaired by the Vice-President of the Human Rights Council, Mouayed Saleh. States, national human rights institutions, non-governmental organizations (NGOs) and other Observers were encouraged to intervene through questions, comments and the sharing of good practices, challenges and recommendations on the way forward.

II. Background

4. Recognizing that, in spite of the progress made in health care and treatments, millions are being left behind because of limited access to medicines and health technologies, in November 2015 the Secretary-General convened a High-level Panel on Access to Medicines "to review and assess proposals and recommend solutions to remedying the policy incoherence between the justifiable rights of inventors, international human rights law, trade rules and public health in the context of health technologies".[1]

5. In its final report,[2] the High-level Panel on Access to Medicines (hereafter "Panel") called on WTO Member States to respect the letter and spirit of the Doha Declaration on the TRIPS Agreement[3] and Public Health and refrain from any action that limits its implementation and on Governments: to increase their current levels of investment in health technology; to test and implement, with relevant stakeholders, new and additional models for financing and rewarding public health research; to review, at regular intervals, access to health technologies in their respective countries in the light of human rights principles and their obligations to fulfil them, with assistance from the Office of the United Nations High Commissioner for Human Rights (OHCHR); to require manufacturers and distributers of health technologies to disclose information on research and development costs and any public funding received; and to ensure that bilateral and regional trade and investment treaties do not interfere with their obligations to realize the right to health. In the

[1] See "Terms of Reference", para. 3. Available from www.unsgaccessmeds.org/reports-documents.

[2] See "Report of the United Nations Secretary-General's High-level Panel on Access to Medicines: promoting innovation and access to health technologies". Available from www.unsgaccessmeds.org/final-report.

[3] WTO Agreement on Trade-related Aspects of Intellectual Property Rights.

report, the Panel recommended that the Secretary-General initiate a process to negotiate global agreements on coordinating, financing and developing health technologies, including a convention on research and development that delinked the costs associated with such activities from end prices to promote access to good health for all. It also recommended that the Secretary-General establish an inter-agency task force on health technology innovation and access in order to help increase coherence among United Nations entities and relevant multilateral organizations, such as WTO.

III. Summary of the discussion

A. Opening statement

6. In her opening remarks, the Deputy United Nations High Commissioner for Human Rights emphasized that the right to health requires States to ensure universal access to good quality health care, including essential medicines, on the basis of equality and non-discrimination. While that meant that innovations essential for a life with dignity should be accessible to everyone without discrimination, currently, millions were living without access to essential medicines. That was not due to an inherent lack of commodities, but entirely to policy deficits and entrenched practices. The Deputy High Commissioner drew particular attention to the situation of women and girls who, despite being old enough to acquire a sexually transmitted infection or become pregnant, were denied the autonomy to access the necessary services and medicines for treatment and to control their own fertility.

7. States needed to shift from a dominant market-oriented perspective on access to medicines towards one in which there was a focus on ensuring the right to health. Powerful commercial and other interests should not be allowed to dictate public health policy to the detriment of human rights. That meant recognizing, and responding to, a number of challenges, including a disproportionate protection of intellectual property rights, which limited the policy space available necessary to Governments to take the measures to protect the right to health and which restricted access to medicines by expanding monopolies, maintaining high prices for longer periods of time and delaying the availability of generic medicines. Trade and investment agreements should be negotiated with human rights in mind and the availability, accessibility and acceptability of good quality medicines for all without discrimination should be integrated into all public policy frameworks. She highlighted the importance of empowering rights-holders to be partners in health, to claim their health and health-related rights and to enable policymakers on health to make people-centred decisions and hold them accountable for delivering on those.

8. In conclusion, ensuring access to health care was more than a matter of States' political will, it was also a question of health economics, a matter of the ethics of the pharmaceutical industry, and a responsibility of health-care providers and health professionals. She called on all those authorities and actors to stand up for the right to health. Powerful interests should not dictate health policy to the detriment of human rights and protection of intellectual property rights could not trump the right to health.

B. Overview of presentations by the panellists

9. Ms. Dreyfuss introduced the work and report of the Panel, emphasizing that it addressed just one part of the problem of accessing medicines, and that there were many other obstacles, such as a shortage of health and transport infrastructure, a lack of financing for public health care, expensive health insurance systems and bureaucracy. She also highlighted that the Panel's mandate concerned access to health technologies, which included not only medicines, but also vaccines, diagnostic tools and various types of medical equipment.

10. She underscored the shortcomings of biomedical research and the development of medicines based on the incentives provided by the present intellectual property regimes, which were founded on the existence of viable markets rather than an assessment of needs.

Such an approach led, for instance, to the neglect of many tropical diseases. Moreover, the monopoly afforded by patents and licensing led to prices that prevented many people from benefiting from progress in medicine. That resulted in health systems being forced to introduce restrictions and rationing.

11. Intellectual property rights were not the same as the legitimate rights of inventors. The purpose of trade rules and intellectual property rights was to promote economic growth and stimulate innovation, but those could be an impediment to public health. In that regard, while the Panel welcomed the Doha Declaration affirming the right of States to have recourse to the flexibilities available under the TRIPS Agreement in order to take measures to protect public health, it remained the continuing incoherence of policies, particularly those resulting from the pressure intended to dissuade countries from invoking those flexibilities.

12. Mr. Kaloy emphasized that the issue under discussion was not just a matter of ethics but also of international law, which had also been prioritized in the 2030 Agenda for Sustainable Development. The realization of the right to health was greatly hindered by policy incoherence and the weaknesses of the market mechanisms in stimulating innovation and in promoting just distribution in accordance with international human rights law.

13. He highlighted the consultative process in drafting the Panel report, particularly the views of those who had participated in the Panel's public hearings who had been left behind, including women and girls forced to beg for access to life-saving drugs and those from Asia or Africa with drug-resistant tuberculosis who could not afford new therapies. He also noted the challenges faced by the health systems in wealthier countries in acquiring increasingly expensive medicines. Unless the Human Rights Council — and, more generally, the United Nations — acted immediately, Sustainable Development Goal 3 would not be achieved, and millions would be left behind or die.

14. While some of the Panel members might have gone further in the report, they all agreed on the core conclusions and recommendations. WTO members should respect the flexibilities in the TRIPS Agreement and respect the human rights protection embedded in the Doha Declaration, there should be no more pressures of countries to surrender their rights to contest "evergreening"[4] and other misuse of market powers, and the Secretary-General should initiate an independent review body on innovation in health technologies with a high-level meeting by 2019 to address weaknesses in the global markets.

15. Ms. Kemp drew attention to the long tradition of WHO in supporting access to medicines as a fundamental element of the right to health. She particularly underscored recent initiatives, such as a WHO report on access to hepatitis C treatment,[5] which mapped global access to medicines to treat hepatitis. The report contained detailed information on the patents and regulatory status of new hepatitis C treatments, the pricing of all drugs and ways to access those treatments at affordable prices. Other initiatives included the WHO global price reporting mechanism, which provided pricing and procurement data for HIV, tuberculosis, malaria and hepatitis C treatments; a comprehensive web platform offering information on vaccine products, prices and procurement data; and the new initiative on fair pricing that assessed the production costs of essential medicines. All of those initiatives should and with the Panel's call for more transparency on prices.

16. With regard to technical support for its Member States, WHO had worked closely with the Government of Egypt in 2016 to ensure early and affordable access to hepatitis C treatment. Also in 2016, WHO had advised Colombia on using TRIPS flexibilities to make cancer treatment more affordable, and helped the Government of Ethiopia to develop and implement its national strategy and plan of action to expand pharmaceutical manufacturing. At the regional level, in 2016, WHO, WTO, WIPO and others had jointly advised on the

[4] The practice of submitting patents without always making substantial changes to the product in question.

[5] "Global report on access to hepatitis C treatment: focus on overcoming barriers" (Geneva, WHO, 2016).

reform of the intellectual property regime of South Africa, in particular on how to implement TRIPS flexibilities to expand access to medicines.

17. Lastly, she underscored the Panel's call for Governments to review the situation of access in their countries in the light of human rights standards and principles and States' obligations to fulfil them.

18. Mr. Taubman highlighted how, for the WTO, the Doha Declaration was a milestone in placing the legal, practical and policy implications of TRIPS squarely within the public health setting. It still remained an important benchmark for policymakers, particularly given the Sustainable Development Goals, and the growing network of regional and bilateral trade agreements. However, he also highlighted how the practical question of how best to navigate through that policy space and to choose flexibilities was still open.

19. To address that, he stressed the need to further strengthen coordination and collaboration across the multilateral system. He drew attention to the importance of trilateral cooperation among WHO, WIPO and WTO to develop policy and practical guidance on public health, including recognition of the human rights dimensions of access to medicines and health technologies. Important initiatives undertaken so far included the WTO annual flagship capacity-building workshop on trade and health that addressed both the need for accessibility and innovation.

20. He also emphasized the need for greater transparency, referring to the above-mentioned WHO report on access to hepatitis C treatment as a good example. He underlined the importance of an information platform that supported all Governments to make effective use of the rights and flexibilities within the system and to fulfil their related human rights responsibilities.

21. Mr. Rentzhog emphasized the remit of WIPO to lead the development of a balanced and effective international intellectual property system that enabled innovation and creativity for the benefit of all. Intellectual property had transcended the confines of legal issues relating to patents, copyrights and trademarks, and touched on many of the most important public policy issues of our time, including health, environment and food security.

22. The activities of WIPO to address access to medicine, in the broader context of innovation, technology transfer and capacity-building, included: updating the patent status of products on the WHO Model List of Essential Medicines; catalysing more research and development for neglected diseases; and using trilateral cooperation to drive policy coherence on innovation, trade and health. The WIPO Standing Committee on the Law of Patents commissioned empirical studies on a diverse range of patent-related issues, including exceptions and limitations to rights. At the request of Member States, WIPO also provided legislative and policy assistance within the framework of the multilateral systems. He drew attention to the WIPO databases that provided access to information on the many forms of intellectual property rights, including patents, trademarks and copyrights. WIPO experts also prepared patent landscape reports on a diverse range of medicines and other technologies, including medicines to treat HBV/AIDS, vaccines and selected medicines for non-communicable diseases.

23. Mr. Correa described actions that had been taken at the national level to overcome the interface between intellectual property policy and human rights law, with a focus on the role of human rights and public health impact assessments, as recommended in the Panel report. He highlighted examples, such as the study carried out by the National Human Rights Commission of Thailand on the potential impact on public health of the intellectual property provisions of the free trade agreement that Thailand had been negotiating with the United States of America before those talks were installed. He suggested that the Human Rights Council could develop guidelines and methodologies for such impact assessments, which should not just be designed for implementation before the negotiation of bilateral or regional agreements to increase intellectual property protection, but also to introduce appropriate methodologies that address the consequences of the adoption of certain intellectual property rights protections.

24. That overprotectionism in the area of intellectual property rights was not irreversible. Governments and international organizations should work together in order to review and revise national laws and international agreements and treaties to see if there was any inconsistency between intellectual property rights and the realization of the right to health.

25. Mr. Zhan highlighted the need to build capacity to produce medicines in the low-income countries, and outlined several challenges and policy recommendations. The challenges included: weak regulatory frameworks; insufficient financing partly because of poor risk-return profiles and the market sizes of individual countries; lack of policy coherence and fragmented institutional set-ups; lack of coordination and synergies among investment, health and trade and authorities; ineffective facilitation, often with no incentive and investment programmes; weak local productive capacity and supply networks to support investment; and, lastly, inadequate international support measures.

26. In response to those challenges, he discussed some of the policy recommendations that had been made by UNCTAD, which included: seeking new sources of financing, including social investment and partnerships between the development assistance agencies and the private sector, including generics producers; helping developing countries take advantage of TRIPs flexibilities; developing a new generation of investment promotion facilitation strategies and institutions; promoting regional cooperation for production and distribution in order to build economies of scale and to enlarge the market for consumption; and, lastly, forging partnerships with investors, Governments and international organizations.

C. Interventions by representatives of Member States, Observer States and other Observers

27. During the ensuing discussion, statements were made by representatives of: Brazil, both on behalf of the Community of Portuguese-speaking Countries and on behalf of the country; Cuba; El Salvador, both on behalf of the Community of Latin American and Caribbean States and on behalf of the country; European Union; Fiji; Indonesia, on behalf of Brazil, China, Egypt, Senegal, South Africa and Thailand; Iran (Islamic Republic of); Kuwait; Libya; Malaysia; Mexico; Pakistan, both on behalf of the Organization of Islamic Cooperation and on behalf of the country; Portugal; Qatar; Republic of Korea; Russian Federation; Sierra Leone; Sudan; Togo; Tunisia, on behalf of the African Group; and United States.

28. Representatives of the following NGOs also contributed to the discussions: American Association of Jurists; Caritas Internationalis (International Confederation of Catholic Charities); Conectas Human Rights; Iraqi Development Organization; Réseau international des droits humains; and Swedish Association for Sexuality Education.

29. Many of the representatives of States reaffirmed their commitment to ensuring access to medicines as a fundamental element of the right to health. One such representative drew attention to the adoption of five resolutions by the Human Rights Council since 2009 that recognized such a commitment. Representatives underscored the importance of access to medicines for all in efforts to achieve Sustainable Development Goal 3, namely to ensure health and well-being for all, at every stage of life. The United Nations had an important role to play in addressing the lack of access to medicines. Several representatives took the opportunity to highlight some good practices in their own countries to promote access to medicines. Those included developing domestic capacity in health technology, facilitating South-South cooperation, providing technical training, promoting the marketing of generic medicines, and regulating and controlling prices.

30. In general, however, representatives of States painted a dire picture, highlighting that access to medicine and high-quality medical technology depended on where one lived. Several representatives drew attention to the fact that hundreds of millions of people, particularly women and children, were currently denied lifesaving health services. Lack of access to many medicines was not just confined to developing countries. All countries

faced problems, with many medicines being unaffordable even in rich countries, threatening the sustainability of universal health systems.

31. Following the focus by many of the panellists on the Panel report, most representatives of States highlighted problems with the intellectual property regime and the current innovation model. Several representatives of States acknowledged that while the current model had led to progress, including extended life expectancy, there were a number of challenges, such as: high prices; market failures in addressing specific public health needs, particularly in developing countries; and the need for coherence among human rights law, intellectual property rights and trade and investment regimes. Many blamed policy incoherence for the disparities in access to medicines. As several delegations underscored, that was heightened by the limited production capacity of many developing countries and their subsequent dependence on foreign pharmaceutical companies.

32. Echoing some of the views of the panellists, several representatives highlighted the unaffordable prices of many medicines, particularly those used in the treatment of cancer and hepatitis C, which, as well as impeding individual access, threatened the sustainability of many health-care systems. Governments needed to continue to work with the industry and regulators to ensure that the development and use of new health technologies was accompanied by the delivery of more affordable treatments. They asked the panellists how they could pursue more transparency with regard to costs and pricing.

33. A number of representatives of States expressed strong support for TRIPS flexibilities, as had been affirmed in the Doha Declaration, which included the right to grant compulsory licences on a number of different grounds, such as public interest, and provided special treatment for least developed countries. Participants heard for instance how the Parliament of Fiji had just approved the ratification of an amendment to the Protocol amending the TRIPS Agreement. However, several representatives, including one from an NGO, drew attention to ongoing cases in which States were being pressurized because they were taking advantage of the flexibilities provided for in the Doha Declaration. The representative of the NGO specifically highlighted the impact of "evergreening" patents on reducing the enjoyment of human rights. The representative observed that the Panel report contained essential recommendations to address that and that countries should set vigorous standards to protect public health concerns regarding inventions and patents. Many representatives of States also asked the panellists to describe how the developing world could utilize TRIPS flexibilities to ensure the affordability of medicines and how their recommendations could be used to support ongoing cases in which the use of flexibilities by some States was under attack.

34. Representatives of several States also raised the issue of the difficulty of raising funding for certain medicines, particularly since the market-driven system failed to deliver treatments and diagnostics for "unprofitable" diseases that affected only a small section of the population or least developed countries. They spoke of the decline of global access to adequate sustainable and equitable financing of medicines, particularly in Africa. They asked the panellists for examples of possible actions or schemes that could finance medicines through public partnerships, improve the transfer of key technologies and investment to developing countries, and increase the demand for medicines through economies of scale to strengthen the global market and reduce prices.

35. In general, most representatives of States supported the Panel report, and they explicitly encouraged countries to implement its recommendations. According to one representative, the European Parliament had welcomed the Panel report and called on the European Union institutions and member States to take steps to implement its recommendations. Representatives of several States requested the Human Rights Council to call for the implementation of the Panel's recommendations through enhanced cooperation among all United Nations funds and programmes, as well as specialized agencies, in order to support Governments to apply public-health-service criteria in ensuring access to medicines. Several representatives expressed appreciation for the recommendation for Governments to review, at regular intervals, the situation of access to health technologies in their countries in the light of human rights principles and State obligations, and the important role of the Council and OHCHR in following up on this. Many also reiterated the Panel's recommendation that the Secretary-General initiate a process for Governments to

negotiate global agreements on the coordination, financing and development of health technology. That included negotiations for a convention on research and development that delinked the costs associated with such activities from end prices in order to promote access to health technologies. A number of representatives suggested that more attention should be given to engaging the pharmaceutical companies in efforts to ensure greater access to medicines.

36. Shadowing the concerns of the Panel report, many representatives of States underlined the importance of cooperation and coordinated action at all levels to ensure access to medicines. Several delegations urged UNCTAD to continue its cooperation programmes with small vulnerable economies. They also highlighted that countries should cooperate, and there needed to be a call on pharmaceutical companies to cooperate with United Nations agencies.

37. A few representatives, however, regretted the panellists' strong focus on the Panel report. They pointed out that access to medicines, as covered in Human Rights Council resolution 32/15, was broader than the issues that had been raised in the Panel report. One representative argued that the panellists' narrow focus deprived States of an opportunity to consider the reasons why essential medicines that were off-patent were not reaching patients in certain countries. Other possible barriers to consider included inappropriate tax and tariff policies, inadequate health systems, insufficient access to financing and lack of procurement systems.

38. Among some of the general challenges limiting access to medicines that were mentioned were lack of staff, discrimination, stigma, exclusion, limited supply chains, conflict zones and the related problems of providing humanitarian assistance to stricken communities. One representative drew attention to the imposition of unilateral coercive measures and the impact that had had on people who were in vital need of medicines. The representative asked panellists to address how such measures and/or sanctions had violated the right to health.

IV. Conclusions

39. **In their concluding comments, the panellists again focused on the intellectual property regime and the need for more coherence so that the right to health was respected and protected. While stressing the importance of the intellectual property system in ensuring innovation, some panellists articulated the need to "flex the flexibilities". In demonstrating the benefits that competition could bring, Mr. Kirby cited the example of HIV/AIDS antiretrovirals, which had initially cost each patient $10,000 a year. The price had substantially decreased once competition had been introduced by allowing generics to be legally produced.**

40. **Several panellists highlighted the need to make sure that economic considerations were no longer prioritized over human rights. They also highlighted the need for improved transparency of both costs and pricing, and called on States to require health technology companies to reveal their actual investment in research and development. They asked Governments to disclose the price they paid for medicines and health technologies. Ms. Kiwy noted the phenomenon of social value-based pricing when prices were not based on cost but on perceived social value. The prices of drugs to treat hepatitis C, for instance, were not indexed to research and development but to the cost of a liver transplant.**

41. **With regard to the possible convening of a special session of the General Assembly on that topic, Mr. Zhan stressed that there was a need to gather the views of stakeholders, including Governments and pharmaceutical industries, on the fundamental changes that needed to be made to the current model. He asked, for instance, what other models of funding were possible, such as push mechanisms (for example, grants) and pull mechanisms (for example, tax breaks). Panellists reiterated the call for the Secretary-General to establish an inter-agency task force on health technology innovation and access.**

42. **Panellists were unanimous on the importance of that issue and the need for a human rights-based approach that both promoted innovation and secured the right to health for all, and achieved the 2030 Agenda for Sustainable Development and prevented people from being left behind.**